



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H8076	2
H8077	3
H8078	4
HCR106	6
HF2434	8
HF2435	48
HJR2010	113
HR122	121
HR123	123
HR124	125
HSB663	127



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

House File 2242

H-8076

- 1 Amend House File 2242 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. Section 558.68, Code 2011, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 6. This section shall apply to
7 an interest in land located in this state and held in
8 trust, regardless of the law of the jurisdiction in
9 which the trust was created.>
10 2. Title page, line 1, by striking <creating an
11 exception> and inserting <relating>
12 3. Title page, line 2, by striking <and making
13 related changes>
14 4. By renumbering as necessary.

HUNTER of Polk



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

House Joint Resolution 2010

H-8077

1 Amend House Joint Resolution 2010 as follows:

2 1. By striking everything after the resolving
3 clause and inserting:

4 <Section 1. The following amendment to the
5 Constitution of the State of Iowa is proposed:

6 The Constitution of the State of Iowa is amended by
7 adding the following new section to new Article XIII:

8 ARTICLE XIII.

9 TAXPAYERS TRUST FUND

10 **Taxpayers trust fund. SECTION 1.**

11 1. A taxpayers trust fund is created within the
12 treasury to provide tax relief. The maximum balance
13 of the trust fund shall be established by statute but
14 shall not be more than one percent of the state's
15 annual net general revenue.

16 2. Except for temporary cash flow purposes, moneys
17 in the taxpayers trust fund shall only be used in
18 accordance with appropriations made for purposes of
19 providing tax relief for any of the following purposes:

20 a. Personal income tax reduction.

21 b. Homeowner property tax reduction.

22 c. Sales tax reduction.

23 3. The general assembly shall enact laws to
24 implement this section.

25 Sec. 2. The foregoing proposed amendment to the
26 Constitution of the State of Iowa is referred to the
27 general assembly to be chosen at the next general
28 election for members of the general assembly, and the
29 Secretary of State is directed to cause the amendment
30 to be published for three consecutive months previous
31 to the date of that election as provided by law.>

32 2. Title page, by striking lines 1 through 5 and
33 inserting <A Joint Resolution proposing an amendment to
34 the Constitution of the State of Iowa relating to state
35 budgeting by creating a taxpayers relief fund.>

36 3. By renumbering as necessary.

QUIRK of Chickasaw

HJR2010.4540 (1) 84

-1-

jp/sc

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

House File 2361

H-8078

1 Amend House File 2361 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. NEW SECTION. 724.0A Intent.

5 It is the intent of the general assembly that laws
6 regarding the fundamental rights found within this
7 chapter shall be uniformly applied to all persons by
8 all political subdivisions.

9 Sec. 2. Section 724.4B, Code 2011, is amended to
10 read as follows:

11 **724.4B Carrying weapons in or on school and**
12 **courthouse buildings and grounds — penalty —**
13 **exceptions.**

14 1. a. A person who goes armed with, carries, or
15 transports a firearm of any kind, whether concealed or
16 not, in the buildings or on the grounds of a school or
17 courthouse commits a class "D" felony.

18 b. For the purposes of this section, "school" means
19 a public or nonpublic school as defined in section
20 280.2.

21 2. Subsection 1 does not apply to the following:

22 a. A person listed under section 724.4, subsection
23 4, paragraphs "b" through "f" or "j".

24 b. A person who has been specifically authorized by
25 the authority in control of the school or courthouse
26 to go armed with, carry, or transport a firearm in the
27 buildings or on the school grounds of the school or
28 courthouse, including for purposes of conducting an
29 instructional program regarding firearms.

30 Sec. 3. Section 724.28, Code 2011, is amended to
31 read as follows:

32 **724.28 Prohibition of regulation by political**
33 **subdivisions.**

34 A political subdivision of the state shall not
35 ~~enact an ordinance regulating~~ regulate the ownership,
36 carrying, possession, legal transfer, lawful
37 transportation, registration, or licensing of firearms
38 upon real property owned or in any way controlled by
39 the political subdivision when the ownership, carrying,
40 possession, transfer, or transportation is otherwise
41 lawful under the laws of this state. An Any ordinance
42 or resolution regulating firearms in violation of this
43 section existing on or after April 5, 1990, is void and
44 unenforceable.

45 Sec. 4. CODE EDITOR DIRECTIVE. Section 724.1, Code
46 2011, shall be transferred to new section 724.1A.>

47 2. Title page, by striking lines 1 through 4 and
48 inserting <An Act concerning the prohibition of firearm
49 regulations by political subdivisions and providing
50 penalties.>

HF2361.4531 (2) 84

-1-

rh/rj

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

R. OLSON of Polk



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

House Concurrent Resolution 106 - Introduced

HOUSE CONCURRENT RESOLUTION NO. 106

BY COMMITTEE ON AGRICULTURE

1 A Concurrent Resolution recognizing National
2 Agriculture Day.

3 WHEREAS, March 8, 2012, is National Agriculture
4 Day, dedicated to increasing the public awareness of
5 agriculture's vital role in our society and recognizing
6 America's unique role in producing food and fiber for a
7 growing world population; and

8 WHEREAS, National Agriculture Day, first
9 celebrated in 1973, is a day set aside when producers,
10 agricultural associations, corporations, universities,
11 government agencies, and countless others across
12 America gather to recognize and celebrate the abundance
13 of food and fiber produced by American agriculture; and

14 WHEREAS, National Agriculture Day is an opportunity
15 to encourage persons to understand how food, fuel,
16 fiber, and pharmaceuticals are produced, to appreciate
17 the function of farmers and ranchers in producing
18 abundant and affordable supplies of food, fuel, fiber,
19 and pharmaceuticals, to acknowledge the essential
20 role of agriculture in maintaining a vibrant economy,
21 and to allow the next generation to consider career
22 opportunities in agriculture; and

23 WHEREAS, this year's theme for National Agriculture
24 Day is "American Agriculture: Abundant — Affordable
25 — Amazing"; and

26 WHEREAS, National Agriculture Day is associated
27 with a national essay contest, and a number of events,
28 including events conducted on Capitol Hill and at the



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.C.R. 106

1 United States Department of Agriculture in the Whitten
2 Building in Washington, D.C.; NOW THEREFORE,
3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
4 THE SENATE CONCURRING, That the Iowa General Assembly
5 recognizes March 8, 2012, as National Agriculture
6 Day, and encourages all Iowans as residents of one
7 of the leading agricultural states in the nation, to
8 commemorate and celebrate that date and the invaluable
9 contributions made by Iowa's farmers; and
10 BE IT FURTHER RESOLVED, That a copy of this
11 resolution be sent to the Agriculture Council of
12 America.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

House File 2434 - Introduced

HOUSE FILE 2434
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 645)

A BILL FOR

1 An Act relating to government operations and efficiency, school
2 elections, eliminating certain tax credits, and including
3 effective date and applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6025HV (4) 84
ec/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 DIVISION I
2 GOVERNMENT INFORMATION TECHNOLOGY SERVICES
3 Section 1. Section 8A.205, subsection 2, paragraph g, Code
4 2011, is amended to read as follows:
5 g. Encourage participating agencies to utilize duplex
6 printing and a print on demand strategy to reduce printing
7 costs, publication overruns, excessive inventory, and obsolete
8 printed materials.
9 Sec. 2. DEPARTMENT OF ADMINISTRATIVE SERVICES —
10 INFORMATION TECHNOLOGY DEVICE INVENTORY.
11 1. The department of administrative services shall complete
12 an inventory of information technology devices utilized by the
13 department and participating agencies, as defined in section
14 8A.201. The department shall conduct the inventory with the
15 goal of identifying potential information technology device
16 upgrades, changes, or other efficiencies that will meet the
17 information technology needs of the applicable department or
18 agency at reduced cost to the state.
19 2. The department shall submit a report to the general
20 assembly by January 1, 2013, describing the department's
21 actions as required by this section. The report shall,
22 if applicable, identify any statutory barriers or needed
23 technology investments for pursuing efforts described in this
24 section and shall include in the report its findings and any
25 recommendations for legislative action.
26 Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES —
27 INFORMATION TECHNOLOGY COORDINATION AND MANAGEMENT.
28 1. The department of administrative services, in accordance
29 with the requirements of 2010 Acts, chapter 1031, and Code
30 section 8A.202, subsection 2, paragraph "g", to coordinate and
31 manage information technology services within the department,
32 shall establish a schedule by which all departments subject
33 to the requirements of that Act and chapter 8A shall comply
34 with these requirements. The schedule shall provide for
35 implementation of the requirements to all affected state

LSB 6025HV (4) 84
ec/rj

1/39

-1-



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 agencies and departments by December 31, 2013. The department
2 shall submit a copy of the schedule to the general assembly
3 by July 31, 2012, and shall provide periodic updates to the
4 general assembly on the progress of meeting the time deadlines
5 contained in the schedule.

6 2. In procuring information technology as provided in
7 section 8A.207, the department of administrative services
8 should explore strategies of procuring information technology
9 through leasing.

10 DIVISION II

11 PERSONNEL AND BENEFITS

12 Sec. 4. NEW SECTION. 8A.440 Group health insurance —
13 family enrollment.

14 1. If a state employee covered by a collective bargaining
15 agreement entered into pursuant to chapter 20 and the state
16 employee's spouse, who is also a state employee, are both
17 members of a state group health insurance plan for employees
18 of the state established under chapter 509A, the employee and
19 the spouse shall be required to enroll in a single family group
20 health insurance plan.

21 2. If a state employee not covered by a collective
22 bargaining agreement as provided in chapter 20 and the state
23 employee's spouse, who is also a state employee, are both
24 members of a state group health insurance plan for employees
25 of the state established under chapter 509A, the employee and
26 spouse shall be required to enroll in a single family group
27 health insurance plan for both state employees in the same
28 manner as is required under the collective bargaining agreement
29 that covers the greatest number of state employees in the state
30 government entity employing the state employee.

31 Sec. 5. NEW SECTION. 9.8 Employee classifications.

32 In addition to public employees listed in section 20.4,
33 public employees of the secretary of state who hold positions
34 as information technology specialists are excluded from chapter
35 20.

LSB 6025HV (4) 84

-2-

ec/rj

2/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 Sec. 6. Section 97B.1A, subsection 26, paragraph a,
2 subparagraph (1), subparagraph division (d), Code Supplement
3 2011, is amended to read as follows:

4 (d) For a member of the general assembly, the total
5 compensation received by a member of the general assembly,
6 ~~whether paid in the form of per diem or annual salary,~~
7 ~~exclusive of expense~~ expenses, per diem, and travel allowances
8 paid to a member of the general assembly ~~except as otherwise~~
9 ~~provided in this subparagraph division. Wages includes per~~
10 ~~diem payments paid to members of the general assembly during~~
11 ~~interim periods between sessions of the general assembly.~~
12 ~~Wages also includes daily allowances to members of the general~~
13 ~~assembly for nontravel expenses of office during a session of~~
14 ~~the general assembly, but does not include the portion of the~~
15 ~~daily allowance which exceeds the maximum established by law~~
16 ~~for members from Polk county.~~

17 Sec. 7. Section 97B.1A, subsection 26, paragraph a,
18 subparagraph (2), subparagraph divisions (h) and (i), Code
19 Supplement 2011, are amended to read as follows:

20 (h) Reimbursements of employee business expenses ~~except for~~
21 ~~those expenses included as wages for a member of the general~~
22 ~~assembly.~~

23 (i) Payments for allowances ~~except for those allowances~~
24 ~~included as wages for a member of the general assembly.~~

25 Sec. 8. GROUP HEALTH INSURANCE COVERAGE FOR STATE
26 EMPLOYEES.

27 1. The state's executive and judicial branch authorities
28 responsible for negotiating the collective bargaining
29 agreements entered into under chapter 20 shall engage in
30 discussions with the applicable state employee organizations
31 to renegotiate provisions involving health insurance coverage
32 of state employees and their families in order to achieve cost
33 savings for the state. The discussions shall include but
34 are not limited to a requirement for a state employee who is
35 covered by a collective bargaining agreement and whose spouse

LSB 6025HV (4) 84
ec/rj

-3-

3/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 is also a state employee, where both the state employee covered
2 by the agreement and the spouse are members of a state group
3 health insurance plan for employees of the state established
4 under chapter 509A, to enroll in a single family group health
5 insurance plan for both state employees.

6 2. If collective bargaining agreements are renegotiated
7 to achieve cost savings pursuant to subsection 1, the cost
8 savings provisions shall also apply to state employees who are
9 not covered by collective bargaining as provided in chapter
10 20 and are members of a state group health insurance plan for
11 employees of the state established under chapter 509A.

12 3. Beginning on the effective date of this section, a state
13 legislator or legislative staff member whose spouse is a state
14 employee, where both employees are members of a state group
15 health insurance plan for employees of the state established
16 under chapter 509A, shall be required to enroll in a single
17 family group health insurance plan for both employees.

18 Sec. 9. DEPARTMENT OF ADMINISTRATIVE SERVICES —
19 HUMAN RESOURCES ADMINISTRATION STUDY. The department of
20 administrative services shall conduct a study to examine the
21 feasibility of issuing a request for proposals to enter into
22 a contract with a private entity for the provision of human
23 resources services provided by the department of administrative
24 services for state employees, to include management of
25 human resources, employee benefits, payroll, payroll tax
26 administration, and workers' compensation. The study shall
27 identify potential cost savings, legal requirements, and other
28 relevant issues, in considering entering into a contract with a
29 private entity for the provision of human resources services
30 for state employees. The department shall submit a report to
31 the general assembly detailing the results of its study by
32 January 1, 2013.

33 Sec. 10. APPLICABILITY. The section of this division
34 of this Act enacting section 8A.440, applies to collective
35 bargaining agreements entered into on or after the effective

LSB 6025HV (4) 84
ec/rj

4/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 date of that section of this division of this Act.

2 Sec. 11. EFFECTIVE UPON ENACTMENT. The following sections
3 of this division of this Act, being deemed of immediate
4 importance, take effect upon enactment:

5 1. The section of this division enacting section 8A.440.

6 2. The section of this division relating to group health
7 insurance coverage for state employees.

8 3. The section of this division relating to applicability.

9 DIVISION III

10 MEDICATION THERAPY MANAGEMENT

11 Sec. 12. NEW SECTION. 8A.441 Medication therapy management.

12 1. As used in this section, unless the context otherwise
13 requires:

14 a. "Eligible employee" means an employee of the state, with
15 the exception of an employee of the state board of regents or
16 institutions under the state board of regents, for whom group
17 health plans are established pursuant to chapter 509A providing
18 for third-party payment or prepayment for health or medical
19 expenses.

20 b. "Medication therapy management" means a systematic
21 process performed by a licensed pharmacist, designed to improve
22 quality outcomes for patients and lower health care costs,
23 including emergency room, hospital, provider, and other costs,
24 by optimizing appropriate medication use linked directly to
25 achievement of the clinical goals of therapy. Medication
26 therapy management shall include all of the following services:

27 (1) A medication therapy review and in-person consultation
28 relating to all medications, vitamins, and herbal supplements
29 currently being taken by an eligible individual.

30 (2) A medication action plan, subject to the limitations
31 specified in this section, communicated to the individual and
32 the individual's primary care physician or other appropriate
33 prescriber to address issues including appropriateness,
34 effectiveness, safety, drug interactions, and adherence. The
35 medication action plan may include drug therapy recommendations

LSB 6025HV (4) 84

-5-

ec/rj

5/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 to prescribers that are needed to meet clinical goals and
2 achieve optimal patient outcomes.

3 (3) Documentation and follow-up to ensure consistent levels
4 of pharmacy services and positive outcomes.

5 2. a. The department shall utilize a request for proposals
6 process and shall enter into a contract for the provision of
7 medication therapy management services for eligible employees
8 who meet any of the following criteria:

9 (1) An individual who takes four or more prescription drugs
10 to treat or prevent two or more chronic medical conditions.

11 (2) An individual with a prescription drug therapy problem
12 who is identified by the prescribing physician or other
13 appropriate prescriber, and referred to a pharmacist for
14 medication therapy management services.

15 (3) An individual who meets other criteria established by
16 the third-party payment provider contract, policy, or plan.

17 b. The contract shall require the entity to provide annual
18 reports to the general assembly detailing the costs, savings,
19 estimated cost avoidance and return on investment, and improved
20 patient outcomes related to the medication therapy management
21 services provided. The entity shall guarantee demonstrated
22 annual savings for overall health care costs, including
23 emergency room, hospital, provider, and other costs, with
24 savings including associated cost avoidance, at least equal
25 to the program's costs with any shortfall amount refunded to
26 the state. The contract shall include terms, conditions,
27 and applicable measurement standards associated with the
28 demonstration of savings. The department shall verify the
29 demonstrated savings reported by the entity was achieved in
30 accordance with the agreed upon measurement standards. The
31 entity shall be prohibited from using the entity's employees to
32 provide the medication therapy management services and shall
33 instead be required to contract with licensed pharmacies,
34 pharmacists, or physicians.

35 c. The department may establish an advisory committee

LSB 6025HV (4) 84
ec/rj

6/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 comprised of an equal number of physicians and pharmacists
2 to provide advice and oversight in evaluating the results of
3 the program. The department shall appoint the members of the
4 advisory committee based upon designees of the Iowa pharmacy
5 association, the Iowa medical society, and the Iowa osteopathic
6 medical association.

7 *d.* The fees for pharmacist-delivered medication therapy
8 management services shall be separate from the reimbursement
9 for prescription drug product or dispensing services; shall
10 be determined by each third-party payment provider contract,
11 policy, or plan; and must be reasonable based on the resources
12 and time required to provide the service.

13 *e.* A fee shall be established for physician reimbursement
14 for services delivered for medication therapy management as
15 determined by each third-party payment provider contract,
16 policy, or plan, and must be reasonable based on the resources
17 and time required to provide the service.

18 *f.* If any part of the medication therapy management
19 plan developed by a pharmacist incorporates services which
20 are outside the pharmacist's independent scope of practice
21 including the initiation of therapy, modification of dosages,
22 therapeutic interchange, or changes in drug therapy, the
23 express authorization of the individual's physician or other
24 appropriate prescriber is required.

25 Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this
26 Act, being deemed of immediate importance, takes effect upon
27 enactment.

28 DIVISION IV

29 IOWA LAW ENFORCEMENT ACADEMY

30 Sec. 14. IOWA LAW ENFORCEMENT ACADEMY — CURRICULUM AND
31 COURSE EFFICIENCIES. The director of the Iowa law enforcement
32 academy, in consultation with the Iowa law enforcement academy
33 council, shall examine its course offerings to law enforcement
34 officers with the goal of offering core courses to all law
35 enforcement officers instead of offering distinct courses to

LSB 6025HV (4) 84

-7-

ec/rj

7/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 different groupings of law enforcement officers.

2 DIVISION V

3 STATE PHYSICAL RESOURCES

4 Sec. 15. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS
5 AND REPORT. By September 30, 2012, the department of
6 administrative services shall conduct a high level needs
7 analysis of state employee work stations and office standards,
8 focusing on reducing square footage needs and creating
9 healthy, productive, and efficient work environments. Overall
10 objectives of the analysis shall include improving employee
11 density; properly allocating space for individual and group
12 work; improving worker health and safety; improving technology
13 integration; and improving energy efficiency and sustainability
14 in state offices. The department shall submit findings and
15 recommendations to the capitol planning commission and to the
16 legislative government oversight committees by October 30,
17 2012.

18 Sec. 16. DEPARTMENT OF NATURAL RESOURCES — SALE OF REAL
19 PROPERTY. During the fiscal period beginning on the effective
20 date of this division of this Act, and ending June 30, 2013,
21 the department of natural resources shall identify and sell
22 real property under the control of the department, the sale of
23 which is not otherwise prohibited by federal law, that is not
24 utilized for state parks and forests in sufficient acreage that
25 shall generate at least twenty million dollars. However, real
26 property received by the department in the form of a devise or
27 that is not farmable shall not be sold. Notwithstanding any
28 provision of law to the contrary, the department of natural
29 resources shall be authorized to sell real property and
30 moneys received for the sale of real property pursuant to this
31 section shall be deposited in the Iowa resources enhancement
32 and protection fund established in section 455A.18. Moneys
33 deposited in the Iowa resources enhancement and protection fund
34 from the sale of real property pursuant to this section shall
35 not be allocated to the open spaces account in the fund and

LSB 6025HV (4) 84

-8-

ec/rj

8/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 shall not be utilized for land acquisition.

2 Sec. 17. EFFECTIVE UPON ENACTMENT. This division of this
3 Act, being deemed of immediate importance, takes effect upon
4 enactment.

5 DIVISION VI

6 FILM PROJECT AND TAX CREDIT PROGRAM

7 Sec. 18. Section 2.48, subsection 3, paragraph c,
8 subparagraph (5), Code 2011, is amended by striking the
9 subparagraph.

10 Sec. 19. Section 15.119, subsection 2, paragraph b, Code
11 Supplement 2011, is amended by striking the paragraph.

12 Sec. 20. Section 422.7, subsection 52, Code Supplement
13 2011, is amended by striking the subsection.

14 Sec. 21. Section 422.33, subsections 23 and 24, Code
15 Supplement 2011, are amended by striking the subsections.

16 Sec. 22. Section 422.35, subsection 23, Code Supplement
17 2011, is amended by striking the subsection.

18 Sec. 23. Section 422.60, subsections 10 and 11, Code
19 Supplement 2011, are amended by striking the subsections.

20 Sec. 24. Section 533.329, subsection 2, paragraphs f and g,
21 Code Supplement 2011, are amended by striking the paragraphs.

22 Sec. 25. REPEAL. Sections 15.391, 15.392, 15.393, 422.11T,
23 422.11U, 432.12J, and 432.12K, Code and Code Supplement 2011,
24 are repealed.

25 Sec. 26. EFFECTIVE UPON ENACTMENT. This division of this
26 Act, being deemed of immediate importance, takes effect upon
27 enactment.

28 Sec. 27. RETROACTIVE APPLICABILITY. This division of this
29 Act applies retroactively to January 1, 2012, for tax years
30 beginning on or after that date.

31 Sec. 28. APPLICABILITY. This division of this Act does not
32 apply to contracts or agreements entered into on or before the
33 effective date of this division of this Act.

34 DIVISION VII

35 HUMAN SERVICES — FOOD ASSISTANCE PROGRAM

LSB 6025HV (4) 84

-9-

ec/rj

9/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 Sec. 29. FOOD ASSISTANCE PROGRAM — AUTHORITY TO RESTRICT
2 USE OF BENEFITS. The department of human services shall submit
3 a request to the United States department of agriculture for
4 authorization for a waiver, pilot project, or other approach
5 for restricting the use of food assistance benefits, as
6 administered by the state under the federal supplemental
7 nutrition assistance program, for food items with a low
8 nutritional value. The request shall be submitted within 60
9 days of the effective date of this division of this Act. The
10 department shall regularly report on the status of the request
11 to the members of the joint appropriations subcommittee on
12 health and human services and the legislative services agency.

13 Sec. 30. EFFECTIVE UPON ENACTMENT. This division of this
14 Act, being deemed of immediate importance, takes effect upon
15 enactment.

16 DIVISION VIII

17 MENTAL HEALTH SERVICES

18 Sec. 31. Section 225C.6, subsection 1, paragraph k, Code
19 Supplement 2011, is amended to read as follows:

20 k. Coordinate activities with the governor's developmental
21 disabilities council and the mental health planning council,
22 created pursuant to federal law. The commission shall receive
23 any official reports from the two councils and shall consider
24 any recommendations made in the reports. The commission shall
25 work with other state agencies on coordinating, collaborating,
26 and communicating concerning activities involving persons with
27 disabilities.

28 Sec. 32. Section 426B.5, subsection 2, paragraph c, Code
29 Supplement 2011, is amended to read as follows:

30 c. A The mental health and disability services commission
31 created in section 225C.5 shall serve as the risk pool board
32 is created and shall fulfill the duties of the risk pool board
33 in accordance with this section. ~~The board shall consist of~~
34 ~~two county supervisors, two county auditors, a member of the~~
35 ~~mental health and disability services commission who is not a~~

LSB 6025HV (4) 84

-10-

ec/rj

10/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

~~1 member of a county board of supervisors, a member of the county
2 finance committee created in chapter 333A who is not an elected
3 official, a representative of a provider of mental health or
4 developmental disabilities services selected from nominees
5 submitted by the Iowa association of community providers, and
6 two central point of coordination process administrators,
7 all appointed by the governor, and one member appointed by
8 the director of human services. All members appointed by
9 the governor shall be subject to confirmation by the senate.
10 Members shall serve for three-year terms. A vacancy shall
11 be filled in the same manner as the original appointment.
12 Expenses and other costs of the risk pool board members
13 representing counties shall be paid by the county of origin.
14 Expenses and other costs of risk pool board members who do
15 not represent counties shall be paid from a source determined
16 by the governor. The mental health and disability services
17 commission may appoint a risk pool advisory committee which may
18 include the interests comprising the risk pool board under this
19 section, Code 2011, to make recommendations to the commission
20 regarding the risk pool board decisions and other functions
21 required by this section. Staff assistance to the for risk
22 pool board decision making shall be provided by the department
23 of human services and counties. Actuarial expenses and other
24 direct administrative costs shall be charged to the pool.~~

DIVISION IX

OPERATIONAL EFFICIENCIES

27 Sec. 33. STATE DEPARTMENT AND AGENCY LIMITATIONS ON
28 MAIL. Notwithstanding any provision of the law to the
29 contrary, a state department or agency shall provide
30 departmental or agency notices or information through the
31 department's or agency's internet site or through electronic
32 mail to the fullest extent possible. This requirement shall
33 not apply to department and agency communications required
34 for purposes of pursuing legal action or to comply with
35 federal law. Departments and agencies shall have rulemaking

LSB 6025HV (4) 84

-11-

ec/rj

11/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 authority to implement this section and to collect electronic
2 mail addresses for the purpose of electronic communications.
3 Electronic mail addresses collected by state departments and
4 agencies under this section shall be considered confidential
5 information pursuant to section 22.7 exempt from open records
6 requests under chapter 22.

7 DIVISION X
8 STATE RECORDS

9 Sec. 34. Section 96.11, subsection 11, Code 2011, is amended
10 to read as follows:

11 11. *Destruction of records.* The department may destroy
12 or dispose of such original reports or records as have been
13 properly recorded or summarized in the permanent records of
14 the department and are deemed by the director and the ~~state~~
15 ~~records-commission~~ department of cultural affairs to be no
16 longer necessary to the proper administration of this chapter.
17 Wage records of the individual worker or transcripts therefrom
18 may be destroyed or disposed of, if approved by the ~~state~~
19 ~~records-commission~~ department of cultural affairs, two years
20 after the expiration of the period covered by such wage records
21 or upon proof of the death of the worker. Such destruction
22 or disposition shall be made only by order of the director in
23 consultation with the ~~state-records-commission~~ department of
24 cultural affairs. Any moneys received from the disposition of
25 such records shall be deposited to the credit of the employment
26 security administration fund, subject to rules promulgated by
27 the department.

28 Sec. 35. Section 305.2, subsection 2, Code 2011, is amended
29 to read as follows:

30 2. "*Archives*" means records that have been appraised by
31 the ~~state-records-commission~~ department as having sufficient
32 historical, research, evidential, or informational value to
33 warrant permanent preservation and that have been transferred
34 to the custody of the state archives.

35 Sec. 36. Section 305.2, subsections 3 and 5, Code 2011, are

LSB 6025HV (4) 84

-12-

ec/rj

12/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 amended by striking the subsections.

2 Sec. 37. Section 305.2, Code 2011, is amended by adding the
3 following new subsection:

4 NEW SUBSECTION. 4A. "*Department*" means the department of
5 cultural affairs.

6 Sec. 38. Section 305.2, subsection 10, Code 2011, is amended
7 to read as follows:

8 10. "*Records series retention and disposition schedule*"
9 means a timetable established by the ~~state records commission~~
10 department that describes the length of time a records series
11 of an agency or multiple agencies must be retained in active
12 and inactive status and provides authorization for a final
13 disposition of the records series by destruction or permanent
14 retention.

15 Sec. 39. Section 305.4, unnumbered paragraph 1, Code 2011,
16 is amended to read as follows:

17 The ~~commission~~ department shall adopt government information
18 policies, standards, and guidelines to do all of the following:

19 Sec. 40. Section 305.8, subsection 1, unnumbered paragraph
20 1, Code 2011, is amended to read as follows:

21 The ~~commission~~ department shall do all of the following:

22 Sec. 41. Section 305.8, subsection 1, Code 2011, is amended
23 by adding the following new paragraph:

24 NEW PARAGRAPH. *0e.* Provide training, advice, and counsel
25 to agencies on government information policies, standards, and
26 guidelines.

27 Sec. 42. Section 305.8, subsection 1, Code 2011, is amended
28 by adding the following new paragraphs:

29 NEW PARAGRAPH. *0f.* Develop and distribute operating
30 procedures for agencies to use to implement the plans,
31 policies, standards, and guidelines adopted by the department.

32 NEW PARAGRAPH. *00f.* Manage any centralized records storage
33 facility established by the department for the temporary
34 storage of agency records prior to their final disposition by
35 destruction or permanent preservation in accordance with the

LSB 6025HV (4) 84

-13-

ec/rj

13/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 records series retention and disposition schedules.

2 NEW PARAGRAPH. 000*f.* Appoint a state archivist to head the
3 state archives and records program.

4 NEW PARAGRAPH. 0000*f.* Manage the state archives and develop
5 operating procedures for the transfer, accession, arrangement,
6 description, preservation, protection, and public access of
7 those records the department identifies as having permanent
8 value.

9 NEW PARAGRAPH. 00000*f.* Maintain physical custody and legal
10 custody of archives that have been transferred and delivered
11 to the state archives.

12 (1) Upon receipt by the state archivist, the archives shall
13 not be removed without the state archivist's consent except in
14 response to a subpoena of a court of record or in accordance
15 with approved records series retention and disposition
16 schedules or after review and approval of the department.

17 (2) Upon request, the state archivist shall make a certified
18 copy of any record in the legal custody or in the physical
19 custody of the state archivist, or a certified transcript
20 of any record if reproduction is inappropriate because of
21 legal or physical considerations. If a copy or transcript is
22 properly authenticated, it has the same legal effect as though
23 certified by the officer from whose office it was transferred
24 or by the secretary of state. The department shall establish
25 reasonable fees for certified copies or certified transcripts
26 of records in the legal custody or physical custody of the
27 state archivist.

28 NEW PARAGRAPH. 000000*f.* Establish, maintain, and administer
29 an archive of records created and maintained in electronic
30 format in order to preserve and provide public access to state
31 government records identified as having permanent historical
32 value by the department.

33 Sec. 43. Section 305.8, subsection 1, Code 2011, is amended
34 by adding the following new paragraph:

35 NEW PARAGRAPH. *Oi.* Establish rates to be charged an agency

LSB 6025HV (4) 84

-14-

ec/rj

14/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 by the department for storage and retention of records of
2 the agency in a records storage facility maintained by the
3 department. Rates established shall be reviewed annually by
4 the department and shall be reasonably related to the cost of
5 storing and retaining records of an agency.

6 Sec. 44. Section 305.8, subsection 2, unnumbered paragraph
7 1, Code 2011, is amended to read as follows:

8 The ~~commission~~ department may do all of the following:

9 Sec. 45. Section 305.8, subsection 2, Code 2011, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. *0g.* Upon written consent of the state
12 archivist, accept records of political subdivisions that are
13 voluntarily transferred to the state archives.

14 Sec. 46. Section 305.8, subsection 2, paragraph e, Code
15 2011, is amended to read as follows:

16 e. Make, or cause to be made, preservation duplicates of
17 records, which may include existing copies of original state
18 records. Any preservation duplicate record shall be durable,
19 accurate, complete, and clear, and shall be made by means
20 designated by the ~~commission~~ department.

21 Sec. 47. NEW SECTION. **305.8A Records retention and storage**
22 **costs — billing — internal service fund.**

23 1. The department may bill an agency for records storage
24 and retention services rendered by the department pursuant to
25 the rates established by the department for these services.
26 The department shall periodically render a billing statement
27 to an agency outlining the cost of services provided. The
28 amount indicated on the statement shall be paid by the agency
29 and amounts received by the department shall be considered
30 repayment receipts as defined in section 8.2, and deposited
31 into the accounts of the department.

32 2. a. The department may establish and maintain an internal
33 service fund in accordance with generally accepted accounting
34 principles, as defined in section 8.57, for the records storage
35 and retention activities of the department which are primarily

LSB 6025HV (4) 84

-15-

ec/rj

15/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 funded from billings to agencies for services rendered by the
2 department.

3 *b.* The internal service fund shall be administered by
4 the department and shall consist of moneys collected by the
5 department from billings issued in accordance with this section
6 and any other moneys obtained or accepted by the department,
7 including but not limited to gifts, loans, donations, grants,
8 and contributions, which are designated to support the
9 activities of the internal service fund.

10 *c.* The proceeds of the internal service fund established
11 pursuant to this section shall be used by the department
12 for the operations of the department in records storage and
13 retention consistent with this chapter.

14 *d.* Section 8.33 does not apply to any moneys in the
15 internal service fund established pursuant to this section.
16 Notwithstanding section 12C.7, subsection 2, interest or
17 earnings on moneys deposited in the fund shall be credited to
18 the fund.

19 *e.* The director of the department shall annually provide
20 financial information and reports relative to the internal
21 service fund established pursuant to this section to the
22 department of management and the general assembly. The
23 information provided may include the recommendation that a
24 portion of unexpended net income be periodically returned to
25 the appropriate funding source.

26 Sec. 48. Section 305.10, subsection 1, paragraphs c, d, e,
27 f, and j, Code 2011, are amended to read as follows:

28 *c.* Cooperate with the ~~state records commission~~ department
29 and the state archives and records program in the development
30 and implementation of government information policies,
31 standards, and guidelines, and in the development and
32 implementation of records series retention and disposition
33 schedules.

34 *d.* Comply with requests from the ~~state records commission~~
35 ~~or~~ department and the state archives and records program to

LSB 6025HV (4) 84

-16-

ec/rj

16/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 examine records in the possession, constructive possession, or
2 control of the agency in order to carry out the purposes of
3 this chapter.

4 e. Inventory agency records in accordance with ~~state~~
5 ~~records commission~~ department policies to draft records series
6 retention and disposition schedules.

7 f. Identify vital operating records in accordance with
8 the policies, standards, and guidelines of the ~~state records~~
9 ~~commission~~ department.

10 j. Provide for compliance with this chapter and the rules
11 adopted by the ~~state records commission~~ department.

12 Sec. 49. Section 305.10, subsection 2, Code 2011, is amended
13 to read as follows:

14 2. Agency heads may petition the ~~state records commission~~
15 department to create or modify government information policies,
16 standards, and guidelines, and to create or modify records
17 series retention and disposition schedules.

18 Sec. 50. Section 305.11, Code 2011, is amended to read as
19 follows:

20 **305.11 Termination of state agency — records transfer.**

21 Upon the termination of a state agency whose functions have
22 not been transferred to another agency, custody of the records
23 of the agency shall transfer to the ~~commission~~ department.

24 Sec. 51. Section 305.14, Code 2011, is amended to read as
25 follows:

26 **305.14 Liability precluded.**

27 No ~~member~~ employee of the ~~commission~~ department or head of
28 an agency shall be held liable for damages or loss, or civil
29 or criminal liability, because of the destruction of public
30 records pursuant to the provisions of this chapter or any other
31 law authorizing their destruction.

32 Sec. 52. Section 305.15, Code 2011, is amended to read as
33 follows:

34 **305.15 Exemptions — duties of state department of**
35 **transportation and state board of regents.**

LSB 6025HV (4) 84

-17-

ec/rj

17/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 The state department of transportation and the agencies and
2 institutions under the control of the state board of regents
3 are exempt from the state records manual and the provisions of
4 this chapter. However, the state department of transportation
5 and the state board of regents shall adopt rules pursuant to
6 chapter 17A for their employees, agencies, and institutions
7 that are consistent with the objectives of this chapter.
8 The rules shall be approved by the ~~state records commission~~
9 department.

10 Sec. 53. Section 305.16, subsection 6, paragraph b,
11 subparagraph (1), Code 2011, is amended to read as follows:

12 (1) Serve in an advisory capacity to the ~~state records~~
13 commission department, the state archives and records program,
14 and other statewide archival or records agencies.

15 Sec. 54. Section 321.31, subsection 1, paragraph b, Code
16 2011, is amended to read as follows:

17 b. The department may make photostatic, microfilm, or other
18 photographic copies of certificates of title, registration
19 receipts, or other records, reports or documents which are
20 required to be retained by the department. When copies have
21 been made, the department may destroy the original records in
22 such manner as prescribed by the director. The photostatic,
23 microfilm, or other photographic copies, when no longer of use,
24 may be destroyed in the manner prescribed by the director,
25 subject to the approval of the ~~state records commission~~
26 department of cultural affairs. Photostatic, microfilm, or
27 other photographic copies of records shall be admissible in
28 evidence when duly certified and authenticated by the officer
29 having custody and control of the copies of records. Records
30 of vehicle certificates of title may be destroyed seven years
31 after the date of issue.

32 Sec. 55. REPEAL. Sections 305.3, 305.5, 305.6, 305.7, and
33 305.9, Code 2011, are repealed.

34 Sec. 56. IOWA BUILDING — CENTRALIZED RECORDS STORAGE
35 FACILITY. The department of cultural affairs shall utilize the

LSB 6025HV (4) 84

-18-

ec/rj

18/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 Iowa building as the centralized records storage facility for
2 records received by the department upon the conclusion of the
3 existing lease for the building currently utilized for this
4 purpose. The department, in collaboration with the department
5 of administrative services, shall conduct an assessment of the
6 Iowa building and shall identify space within the building
7 that can be utilized for this purpose. If modifications
8 or renovations to the Iowa building are necessary for the
9 department to utilize space in the building for a centralized
10 records storage facility, the department, in collaboration with
11 the department of administrative services, shall determine the
12 estimated cost of the modifications or renovations needed and
13 shall provide this information to the general assembly.

14 Sec. 57. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

15 1. Any rule, regulation, form, order, or directive
16 promulgated by the state records commission relative to the
17 provisions of this Act in existence on the effective date of
18 this division of this Act shall continue in full force and
19 effect until amended, repealed, or supplemented by affirmative
20 action of the department of cultural affairs under the duties
21 and powers established in this division of this Act and under
22 the procedure established in subsection 2.

23 2. In regard to updating references and format in the Iowa
24 administrative code in order to correspond to the transferring
25 of duties as established in this division of this Act, the
26 administrative rules coordinator and the administrative rules
27 review committee, in consultation with the administrative code
28 editor, shall jointly develop a schedule for the necessary
29 updating of the Iowa administrative code.

30 DIVISION XI

31 LOCAL GOVERNMENT

32 Sec. 58. Section 39.2, subsection 4, paragraph c, Code 2011,
33 is amended to read as follows:

34 c. For a school district or merged area, in the odd-numbered
35 year, the first Tuesday in February, the first Tuesday in

LSB 6025HV (4) 84

-19-

ec/rj

19/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 April, the last Tuesday in June, or the ~~second~~ first Tuesday
2 ~~in September~~ after the first Monday in November. For a school
3 district or merged area, in the even-numbered year, the first
4 Tuesday in February, the first Tuesday in April, the second
5 Tuesday in September, or the first Tuesday in December.

6 Sec. 59. Section 260C.12, subsection 1, Code 2011, is
7 amended to read as follows:

8 1. The board of directors of the merged area shall organize
9 at the first regular meeting in ~~October~~ December following the
10 regular school election. Organization of the board shall be
11 effected by the election of a president and other officers from
12 the board membership as board members determine. The board
13 of directors shall appoint a secretary and a treasurer who
14 shall each give bond as prescribed in section 291.2 and who
15 shall each receive the salary determined by the board. The
16 secretary and treasurer shall perform duties under chapter 291
17 and additional duties the board of directors deems necessary.
18 However, the board may appoint one person to serve as the
19 secretary and treasurer. If one person serves as the secretary
20 and treasurer, only one bond is necessary for that person. The
21 frequency of meetings other than organizational meetings shall
22 be as determined by the board of directors but the president
23 or a majority of the members may call a special meeting at any
24 time.

25 Sec. 60. Section 260C.13, subsection 1, Code 2011, is
26 amended to read as follows:

27 1. The board of a merged area may change the number of
28 directors on the board and shall make corresponding changes
29 in the boundaries of director districts. Changes shall be
30 completed not later than ~~June~~ August 1 of the year of the
31 regular school election. As soon as possible after adoption
32 of the boundary changes, notice of changes in the director
33 district boundaries shall be submitted by the merged area to
34 the county commissioner of elections in all counties included
35 in whole or in part in the merged area.

LSB 6025HV (4) 84

-20-

ec/rj

20/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 Sec. 61. Section 273.8, subsection 2, paragraphs a and b,
2 Code 2011, are amended to read as follows:

3 a. Notice of the election shall be published by the area
4 education agency administrator not later than ~~July~~ September 15
5 of the odd-numbered year in at least one newspaper of general
6 circulation in the director district. The cost of publication
7 shall be paid by the area education agency.

8 b. A candidate for election to the area education agency
9 board shall file a statement of candidacy with the area
10 education agency secretary not later than ~~August~~ October 15 of
11 the odd-numbered year, on forms prescribed by the department
12 of education. The statement of candidacy shall include the
13 candidate's name, address, and school district. The list of
14 candidates shall be sent by the secretary of the area education
15 agency in ballot form by certified mail to the presidents of
16 the boards of directors of all school districts within the
17 director district not later than ~~September~~ November 1. In
18 order for the ballot to be counted, the ballot must be received
19 in the secretary's office by the end of the normal business
20 day on ~~September~~ November 30 or be clearly postmarked by an
21 officially authorized postal service not later than ~~September~~
22 November 29 and received by the secretary not later than noon
23 on the first Monday following ~~September~~ November 30.

24 Sec. 62. Section 273.8, subsection 4, paragraph a, Code
25 2011, is amended to read as follows:

26 a. The board of directors of each area education agency
27 shall meet and organize at the first regular meeting in ~~October~~
28 December following the regular school election at a suitable
29 place designated by the president. Directors whose terms
30 commence at the organizational meeting shall qualify by taking
31 the oath of office required by section 277.28 at or before the
32 organizational meeting.

33 Sec. 63. Section 273.8, subsection 6, Code 2011, is amended
34 to read as follows:

35 6. *Change in directors.* The board of an area education

LSB 6025HV (4) 84

-21-

ec/rj

21/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 agency may change the number of directors on the board and
2 shall make corresponding changes in the boundaries of director
3 districts. Changes shall be completed not later than ~~July~~
4 September 1 of a fiscal the odd-numbered year for the director
5 district conventions to be held the following ~~September~~
6 November.

7 Sec. 64. Section 277.1, Code 2011, is amended to read as
8 follows:

9 **277.1 Regular election.**

10 The regular election shall be held biennially on the ~~second~~
11 first Tuesday in September after the first Monday in November
12 of each odd-numbered year in each school district for the
13 election of officers of the district and merged area and for
14 the purpose of submitting to the voters any matter authorized
15 by law.

16 Sec. 65. Section 277.20, Code 2011, is amended to read as
17 follows:

18 **277.20 Canvassing returns.**

19 ~~On the next Friday after~~ After the regular school election,
20 the county board of supervisors shall canvass the returns
21 made to the county commissioner of elections from the several
22 precinct polling places and the absentee ballot counting board,
23 ascertain the result of the voting with regard to every matter
24 voted upon and cause a record to be made thereof, all as
25 required by section 50.24. Special elections held in school
26 districts shall be canvassed at the time and in the manner
27 required by that section. The board shall declare the results
28 of the voting for members of boards of directors of school
29 corporations nominated pursuant to section 277.4, and the
30 commissioner shall at once issue a certificate of election to
31 each person declared elected. The board shall also declare the
32 results of the voting on any public question submitted to the
33 voters of a single school district, and the commissioner shall
34 certify the result as required by section 50.27.

35 The abstracts of the votes cast for members of the board

LSB 6025HV (4) 84

-22-

ec/rj

22/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 of directors of any merged area, and of the votes cast on any
2 public question submitted to the voters of any merged area,
3 shall be promptly certified by the commissioner to the county
4 commissioner of elections who is responsible under section 47.2
5 for conducting the elections held for that merged area.

6 Sec. 66. EFFECTIVE DATE. This division of this Act takes
7 effect January 1, 2014.

8

DIVISION XII

9

LOCAL GOVERNMENTS — ELECTRONIC PAYMENT

10 Sec. 67. LOCAL GOVERNMENTS — ELECTRONIC PAYMENT. Local
11 governments shall encourage persons to pay fees and taxes
12 collected by local governments by credit or debit card or
13 other electronic means of payment. In authorizing payment
14 by electronic means, a local government shall seek to reduce
15 convenience or other handling fees charged by the local
16 government if electronic means of payment are used. Handling
17 or other fees charged should be limited to the actual cost of
18 authorizing that means of payment and should not be utilized to
19 raise additional revenue.

20

DIVISION XIII

21

ONGOING PROGRAM REVIEW

22 Sec. 68. NEW SECTION. 8.71 Ongoing program review — repeal
23 dates.

24 1. The general assembly finds that a regular review of
25 the programs and projects administered by state government is
26 necessary to determine whether each program and project is
27 effectively and efficiently meeting the needs for which created
28 and whether the needs remain applicable. The general assembly
29 further finds that a regular, systematic review process can
30 identify the programs and projects that are no longer relevant
31 or functioning at a desirable level and can eliminate or
32 reorganize those programs and projects so that state resources
33 can be used most effectively or diverted to other priorities.

34 2. The state government efficiency review committee
35 established in section 2.69 shall propose legislation for

LSB 6025HV (4) 84

-23-

ec/rj

23/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 consideration by the Eighty-fifth General Assembly, 2014
2 session, providing a staggered schedule for establishing an
3 automatic repeal date for each program or project administered
4 by a department of state government over the succeeding
5 five-year period. The review committee shall consult with
6 the office of the governor and the department of management
7 in formulating the staggered schedule and the office and
8 department shall cooperate in providing necessary information
9 requested by the committee. The repeal date provisions shall
10 be implemented in a manner so that any program or project that
11 is reauthorized by law is again subject to automatic repeal
12 five years after reauthorization.

13 DIVISION XIV

14 IOWA JOBS BOARD

15 Sec. 69. Section 12.87, subsection 12, Code Supplement
16 2011, is amended to read as follows:

17 12. Neither the treasurer of state, the Iowa ~~jobs board~~
18 finance authority, nor any person acting on behalf of the
19 treasurer of state or the Iowa ~~jobs board~~ finance authority
20 while acting within the scope of their employment or agency, is
21 subject to personal liability resulting from carrying out the
22 powers and duties conferred by this section and sections 12.88
23 through 12.90.

24 Sec. 70. Section 16.193, subsection 1, Code Supplement
25 2011, is amended to read as follows:

26 ~~1. The Iowa finance authority, subject to approval by the~~
27 ~~Iowa jobs board,~~ shall adopt administrative rules pursuant to
28 chapter 17A necessary to administer the Iowa jobs program and
29 Iowa jobs II program. The authority shall ~~provide the board~~
30 ~~with assistance in implementing administrative functions, be~~
31 responsible for providing technical assistance and application
32 assistance to applicants under the programs, negotiating
33 contracts, and providing project follow up. ~~The authority, in~~
34 ~~cooperation with the board, may conduct negotiations on behalf~~
35 ~~of the board with applicants regarding terms and conditions~~

LSB 6025HV (4) 84

-24-

ec/rj

24/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 ~~applicable to awards under the program.~~

2 Sec. 71. Section 16.194, subsection 2, Code 2011, is amended
3 to read as follows:

4 2. A city or county or a public organization in this
5 state may submit an application to the ~~Iowa jobs board~~
6 authority for financial assistance for a local infrastructure
7 competitive grant for an eligible project under the program,
8 notwithstanding any limitation on the state's percentage in
9 funding as contained in section 29C.6, subsection 17.

10 Sec. 72. Section 16.194, subsection 4, unnumbered paragraph
11 1, Code 2011, is amended to read as follows:

12 The ~~board~~ authority shall consider the following criteria in
13 evaluating eligible projects to receive financial assistance
14 under the program:

15 Sec. 73. Section 16.194, subsection 7, Code 2011, is amended
16 to read as follows:

17 7. In order for a project to be eligible to receive
18 financial assistance from the ~~board~~ authority, the project
19 must be a public construction project pursuant to subsection 1
20 with a demonstrated substantial local, regional, or statewide
21 economic impact.

22 Sec. 74. Section 16.194, subsection 8, unnumbered paragraph
23 1, Code 2011, is amended to read as follows:

24 The ~~board~~ authority shall not approve an application for
25 assistance for any of the following purposes:

26 Sec. 75. Section 16.194, subsection 9, paragraph b, Code
27 2011, is amended to read as follows:

28 b. Any portion of an amount allocated for projects
29 that remains unexpended or unencumbered one year after the
30 allocation has been made may be reallocated to another project
31 category, at the discretion of the ~~board~~ authority. The ~~board~~
32 authority shall ensure that all bond proceeds be expended
33 within three years from when the allocation was initially made.

34 Sec. 76. Section 16.194, subsection 10, Code 2011, is
35 amended to read as follows:

LSB 6025HV (4) 84
ec/rj

25/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 10. The ~~board~~ authority shall ensure that funds obligated
2 under this section are coordinated with other federal program
3 funds received by the state, and that projects receiving funds
4 are located in geographically diverse areas of the state.

5 Sec. 77. Section 16.194A, subsections 2, 7, 9, and 10, Code
6 2011, are amended to read as follows:

7 2. A city or county in this state that applies the smart
8 planning principles and guidelines pursuant to sections 18B.1
9 and 18B.2 may submit an application to the ~~Iowa jobs board~~
10 authority for financial assistance for a local infrastructure
11 competitive grant for an eligible project under the program,
12 notwithstanding any limitation on the state's percentage in
13 funding as contained in section 29C.6, subsection 17.

14 7. In order for a project to be eligible to receive
15 financial assistance from the ~~board~~ authority, the project
16 must be a public construction project pursuant to subsection 1
17 with a demonstrated substantial local, regional, or statewide
18 economic impact.

19 9. Any portion of an amount allocated for projects
20 that remains unexpended or unencumbered one year after the
21 allocation has been made may be reallocated to another project
22 category, at the discretion of the ~~board~~ authority. The ~~board~~
23 authority shall ensure that all bond proceeds be expended
24 within three years from when the allocation was initially made.

25 10. The ~~board~~ authority shall ensure that funds obligated
26 under this section are coordinated with other federal program
27 funds received by the state, and that projects receiving funds
28 are located in geographically diverse areas of the state.

29 Sec. 78. Section 16.194A, subsection 4, unnumbered
30 paragraph 1, Code 2011, is amended to read as follows:

31 The ~~board~~ authority shall consider the following criteria in
32 evaluating eligible projects to receive financial assistance
33 under the program:

34 Sec. 79. Section 16.194A, subsection 8, unnumbered
35 paragraph 1, Code 2011, is amended to read as follows:

LSB 6025HV (4) 84
ec/rj

26/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 The ~~board~~ authority shall not approve an application for
2 assistance for any of the following purposes:

3 Sec. 80. Section 16.195, Code Supplement 2011, is amended
4 to read as follows:

5 **16.195 Iowa jobs program application review.**

6 1. Applications for assistance under the Iowa jobs program
7 and Iowa jobs II program shall be submitted to the ~~Iowa finance~~
8 authority for review and approval. ~~The authority shall provide~~
9 ~~a staff review and evaluation of applications to the Iowa jobs~~
10 ~~program review committee referred to in subsection 2 and to the~~
11 ~~Iowa jobs board.~~

12 2. ~~A review committee composed of members of the board~~
13 ~~as determined by the board shall review Iowa jobs program~~
14 ~~applications submitted to the board and make recommendations~~
15 ~~regarding the applications to the board.~~ When reviewing the
16 applications, the ~~review committee and the~~ authority shall
17 consider the project criteria specified in sections 16.194 and
18 16.194A. The ~~board~~ authority shall develop the appropriate
19 level of transparency regarding project fund allocations.

20 3. Upon approval of an application for financial assistance
21 under the program, the ~~board~~ authority shall notify the
22 treasurer of state regarding the amount of moneys needed to
23 satisfy the award of financial assistance and the terms of the
24 award. The treasurer of state shall notify the ~~Iowa finance~~
25 authority any time moneys are disbursed to a recipient of
26 financial assistance under the program.

27 Sec. 81. Section 16.196, Code 2011, is amended to read as
28 follows:

29 **16.196 Iowa jobs ~~restricted capitals fund~~ — appropriations.**

30 1. ~~An Iowa jobs restricted capitals fund is created and~~
31 ~~established as a separate and distinct fund in the state~~
32 ~~treasury. The fund consists of moneys appropriated from~~
33 ~~the revenue bonds capitals fund created in section 12.88.~~
34 ~~The moneys in the fund are appropriated to the Iowa jobs~~
35 ~~board for purposes of the Iowa jobs program established in~~

LSB 6025HV (4) 84
ec/rj

27/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

~~1 section 16.194. Moneys in the fund shall not be subject to~~
~~2 appropriation for any other purpose by the general assembly,~~
~~3 but shall be used only for the purposes of the Iowa jobs~~
~~4 program. The treasurer of state shall act as custodian of the~~
~~5 fund and disburse moneys contained in the fund. The fund shall~~
~~6 be administered by the board which shall make allocations from~~
~~7 the fund consistent with the purposes of the Iowa jobs program.~~

8 2. 1. There is appropriated from the revenue bonds capitals
9 fund created in section 12.88, ~~to the Iowa jobs restricted~~
10 ~~capitals fund,~~ for the fiscal year beginning July 1, 2009, and
11 ending June 30, 2010, one hundred sixty-five million dollars to
12 be allocated as follows:

13 a. One hundred eighteen million five hundred thousand
14 dollars for competitive grants for local infrastructure
15 projects relating to disaster rebuilding, reconstruction
16 and replacement of local buildings, flood control and flood
17 protection, and future flood prevention public projects. An
18 applicant for a local infrastructure grant shall not receive
19 more than fifty million dollars in financial assistance from
20 the fund.

21 b. Forty-six million five hundred thousand dollars for
22 disaster relief and mitigation and local infrastructure
23 grants for the following renovation and construction projects,
24 notwithstanding any limitation on the state's percentage
25 participation in funding as contained in section 29C.6,
26 subsection 17:

27 (1) For grants to a county with a population between
28 one hundred eighty-nine thousand and one hundred ninety-six
29 thousand in the latest preceding certified federal census, to
30 be distributed as follows:

31 (a) Ten million dollars for the construction of a new,
32 shared facility between nonprofit human service organizations
33 serving the public, especially the needs of low-income Iowans,
34 including those displaced as a result of the disaster of 2008.

35 (b) Five million dollars for the construction or renovation

LSB 6025HV (4) 84

-28-

ec/rj

28/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 of a facility for a county-funded workshop program serving
2 the public and particularly persons with mental illness or
3 developmental disabilities.

4 (2) For grants to a city with a population between one
5 hundred ten thousand and one hundred twenty thousand in the
6 latest preceding certified federal census, to be distributed
7 as follows:

8 (a) Five million dollars for an economic redevelopment
9 project benefiting the public by improving energy efficiency
10 and the development of alternative and renewable energy
11 technologies.

12 (b) Ten million dollars for a museum serving the public and
13 dedicated to the preservation of an eastern European cultural
14 heritage through the collection, exhibition, preservation, and
15 interpretation of historical artifacts.

16 (c) Five million dollars for a theater serving the public
17 and promoting culture, entertainment, and tourism.

18 (d) Five million dollars for a public library.

19 (e) Five million dollars for a public works building.

20 (3) One million five hundred thousand dollars, to be
21 distributed as follows:

22 (a) Five hundred thousand dollars to a city with a
23 population between six hundred and six hundred fifty in the
24 latest preceding certified federal census, for a public fire
25 station.

26 (b) Five hundred thousand dollars to a city with a
27 population between one thousand four hundred and one thousand
28 five hundred in the latest preceding certified federal census,
29 for a public fire station.

30 (c) Five hundred thousand dollars for a city with a
31 population between seven thousand eight hundred and seven
32 thousand eight hundred fifty, for a public fire station.

33 ~~3.~~ 2. Grant awards for a project under subsection 2,
34 paragraph "b", are contingent upon submission of a plan for
35 each project by the applicable county or city governing board

LSB 6025HV (4) 84

-29-

ec/rj

29/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 or in the case of a project submitted pursuant to subsection
2 2, paragraph "b", subparagraph (2), subparagraph division (b),
3 by the board of directors, to the ~~Iowa jobs board~~ authority,
4 no later than September 1, 2009, detailing a description of
5 the project, the plan to rebuild, and the amount or percentage
6 of federal, state, local, or private matching moneys which
7 will be or have been provided for the project. Funds not
8 utilized in accordance with subsection 2, paragraph "b", due
9 to failure to file a plan by the September 1 deadline shall
10 revert to the ~~Iowa jobs restricted revenue bonds~~ capitals fund
11 to be available for local infrastructure competitive grants. A
12 grant recipient under subsection 2, paragraph "b", shall not be
13 precluded from applying for a local infrastructure competitive
14 grant pursuant to this section and section 16.195.

15 ~~4. Moneys in the fund are not subject to section 8.33.~~
16 ~~Notwithstanding section 12C.7, subsection 2, interest or~~
17 ~~earnings on moneys in the fund shall be credited to the fund.~~

18 ~~5.~~ 3. Annually, on or before January 15 of each year, the
19 ~~board~~ authority shall report to the legislative services agency
20 and the department of management the status of all projects
21 receiving moneys from the fund completed or in progress. The
22 report shall include a description of the project, the progress
23 of work completed, the total estimated cost of the project, a
24 list of all revenue sources being used to fund the project, the
25 amount of funds expended, the amount of funds obligated, and
26 the date the project was completed or an estimated completion
27 date of the project, where applicable.

28 ~~6.~~ 4. Payment of moneys appropriated from the fund shall be
29 made in a manner that does not adversely affect the tax-exempt
30 status of any outstanding bonds issued by the treasurer of
31 state.

32 Sec. 82. Section 16.197, Code 2011, is amended to read as
33 follows:

34 **16.197 Limitation of liability.**

35 ~~A member of the Iowa jobs board, a person acting on behalf of~~

LSB 6025HV (4) 84

-30-

ec/rj

30/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 ~~the board while acting within the scope of their employment or~~
2 ~~agency,~~ The authority or the treasurer of state, shall not be
3 subject to personal liability resulting from carrying out the
4 powers and duties of the ~~board~~ authority or the treasurer, as
5 applicable, in sections ~~16.192~~ 16.193 through 16.196.

6 Sec. 83. IOWA JOBS BOARD — TRANSITION PROVISIONS —
7 LIMITATION OF LIABILITY.

8 1. Any contract or agreement issued or entered into by the
9 Iowa jobs board relating to the provisions of this division
10 of this Act, in effect on the effective date of this division
11 of this Act, shall continue in full force and effect and
12 any responsibility of the board relative to the contracts or
13 agreements as provided in those contracts or agreements shall
14 be transferred to the Iowa finance authority.

15 2. A member of the Iowa jobs board or a person acting on
16 behalf of the board while acting within the scope of that
17 person's employment or agency shall not be subject to personal
18 liability resulting from carrying out the powers and duties
19 of the board prior to the effective date of this division of
20 this Act, as applicable, in sections 12.87 through 12.90 and in
21 sections 16.192 through 16.196, Code and Code Supplement 2011.

22 Sec. 84. REPEAL. Sections 16.191 and 16.192, Code
23 Supplement 2011, are repealed.

24 DIVISION XV

25 BOARDS AND COMMISSIONS

26 Sec. 85. Section 190A.3, subsection 4, Code 2011, is amended
27 to read as follows:

28 4. ~~The farm-to-school council~~ department of agriculture and
29 land stewardship and the department of education shall actively
30 seek financial or in-kind contributions from organizations or
31 persons to support the program.

32 Sec. 86. Section 256.9, subsection 55, paragraph j, Code
33 Supplement 2011, is amended by striking the paragraph.

34 Sec. 87. REPEAL. Section 190A.2, Code 2011, is repealed.

35 DIVISION XVI

LSB 6025HV (4) 84

-31-

ec/rj

31/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 OBSOLETE PROVISIONS

2 Sec. 88. Section 84A.5, subsection 7, paragraphs a and c,
3 Code Supplement 2011, are amended by striking the paragraphs.

4 Sec. 89. Section 97B.1A, subsection 8, paragraph b,
5 subparagraph (8), Code Supplement 2011, is amended by striking
6 the subparagraph.

7 Sec. 90. REPEAL. Sections 84A.7, 84A.9, and 84A.10, Code
8 2011, are repealed.

9 Sec. 91. REPEAL. Section 15.112, Code Supplement 2011, is
10 repealed.

11 Sec. 92. REPEAL. Chapters 15C, 15D, and 28K, Code 2011,
12 are repealed.

13 DIVISION XVII

14 OFFICE OF DRUG CONTROL POLICY

15 Sec. 93. LEGISLATIVE INTENT — OFFICE OF DRUG CONTROL
16 POLICY. It is the intent of the general assembly to enact
17 legislation transferring the governor's office of drug control
18 policy to the department of public safety.

19 DIVISION XVIII

20 HOMELAND SECURITY AND EMERGENCY MANAGEMENT ORGANIZATION

21 Sec. 94. LEGISLATIVE INTENT — HOMELAND SECURITY AND
22 EMERGENCY MANAGEMENT ORGANIZATION. It is the intent of
23 the general assembly to enact legislation providing for the
24 establishment of a homeland security and emergency management
25 department separate from the department of public defense.

26 EXPLANATION

27 This bill relates to government efficiency, including other
28 matters related to the operation of state and local government.

29 DIVISION I — GOVERNMENT INFORMATION TECHNOLOGY SERVICES.

30 This division amends Code section 8A.205, concerning
31 digital government, to encourage state agencies to utilize
32 duplex printing. The division directs the department of
33 administrative services (DAS) to conduct an inventory of
34 information technology devices utilized by state agencies
35 with the goal of identifying possibilities to reduce costs.

LSB 6025HV (4) 84

-32-

ec/rj

32/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 DAS is required to submit a report to the general assembly
2 by January 1, 2013, concerning the results of the inventory.
3 This division of the bill also directs DAS to establish a
4 schedule for departments to comply with information technology
5 coordination and management requirements of Code chapter
6 8A. In addition, DAS is encouraged to procure information
7 technology for participating agencies through leasing.

8 DIVISION II — PERSONNEL AND BENEFITS. This division enacts
9 new Code section 8A.440 to provide that collective bargaining
10 agreements negotiated after the effective date of this section
11 of the bill shall include provisions requiring state employees
12 whose spouse is also a state employee enroll in a family group
13 health insurance plan for both employees. The bill provides
14 that this new Code section takes effect upon enactment.

15 This division also directs those state entities negotiating
16 collective bargaining agreements to enter into discussions
17 with employee organizations representing state employees to
18 renegotiate provisions in the agreement to provide that state
19 employees whose spouse is also a state employee enroll in a
20 family group health insurance plan for both employees. If the
21 agreements are renegotiated, the changed provisions shall also
22 apply to state employees who are not covered by a collective
23 bargaining agreement. In addition, this division of the bill
24 applies the same family group health insurance requirement to a
25 state legislator and legislative staff. These provisions of
26 the bill take effect upon enactment.

27 This division of the bill also excludes employees of the
28 secretary of state who hold positions that are classified
29 as information technology specialists from Code chapter 20,
30 relating to public employee collective bargaining.

31 This division of the bill also amends Code section
32 97B.1A(26), concerning the definition of wages for purposes
33 of the Iowa public employees' retirement system (IPERS) for
34 members of the general assembly. The division provides that
35 per diem payments to members of the general assembly and daily

LSB 6025HV (4) 84

-33-

ec/rj

33/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 allowance paid to members of the general assembly are not
2 considered wages for purposes of IPERS.

3 This division also requires DAS to conduct a study to
4 consider the feasibility of entering into a contract with a
5 private entity to provide human resources services currently
6 provided by DAS to state employees. DAS is required to submit
7 a report to the general assembly relative to the study by
8 January 1, 2013.

9 DIVISION III — MEDICATION THERAPY MANAGEMENT. This
10 division of the bill relates to medication therapy management.
11 The bill codifies the pilot program for medication therapy
12 management implemented on July 1, 2010, for eligible state
13 employees, making the program an ongoing program and directing
14 DAS to utilize a request for proposals process and to enter
15 into a contract to continue the program. This division of the
16 bill takes effect upon enactment.

17 DIVISION IV — IOWA LAW ENFORCEMENT ACADEMY. This division
18 directs the director of the Iowa law enforcement academy, in
19 consultation with the Iowa law enforcement academy council, to
20 examine its course offerings to law enforcement officers with
21 the goal of offering more core courses to all law enforcement
22 officers instead of offering distinct courses geared to
23 particular law enforcement officers.

24 DIVISION V — STATE PHYSICAL RESOURCES. This division of the
25 bill requires that DAS conduct an analysis of state employee
26 workstations and office standards by September 30, 2012. The
27 division further requires the department to submit findings
28 and recommendations to the capitol planning commission and the
29 legislative government oversight committees by October 30,
30 2012.

31 This division of the bill also requires the department of
32 natural resources to identify and sell real property prior to
33 and during FY 2012-2013 in sufficient acreage to generate at
34 least \$20 million for deposit in the Iowa resources enhancement
35 and protection fund. The division provides that real property

LSB 6025HV (4) 84

-34-

ec/rj

34/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 received in the form of a devise or that is not farmable shall
2 not be sold. The division further provides that the moneys
3 deposited in the Iowa resources enhancement and protection fund
4 shall not be used for land acquisition.

5 This division takes effect upon enactment.

6 DIVISION VI — FILM PROJECT AND TAX CREDIT PROGRAM. This
7 division of the bill repeals the film, television, and video
8 project promotion program within the economic development
9 authority. The bill also repeals the various tax credits and
10 tax exclusions provided under the program. The repeal takes
11 effect immediately upon enactment and applies retroactively
12 to January 1, 2012, for tax years beginning on or after that
13 date. The division does not impact existing contracts or
14 agreements entered into on or before the effective date of this
15 division of the bill. The division makes changes corresponding
16 to the repeal of the program and the related tax credits and
17 exclusions.

18 DIVISION VII — HUMAN SERVICES — FOOD ASSISTANCE PROGRAM.
19 This division of the bill requires the department of human
20 services to request authorization from the United States
21 department of agriculture to allow the state to restrict the
22 use of food assistance benefits for food items with a low
23 nutritional value. The state administers the food assistance
24 benefits, formerly known as food stamps, under the federal
25 supplemental nutritional assistance program (SNAP).

26 The department is directed to submit the request within
27 60 days of the bill division's effective date and to report
28 regularly on the status of the request to the members of the
29 joint appropriations subcommittee on health and human services
30 and the legislative services agency.

31 The division takes effect upon enactment.

32 DIVISION VIII — MENTAL HEALTH SERVICES. Code section
33 225C.6, concerning the duties of the mental health and
34 disability services commission, is amended to provide that the
35 commission shall receive and consider any official reports

LSB 6025HV (4) 84

-35-

ec/rj

35/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 from the governor's developmental disabilities council and the
2 mental health planning council.

3 Code section 426B.5(2), concerning the risk pool board
4 for mental health, mental retardation, and developmental
5 disabilities services, is amended by eliminating the risk pool
6 board and providing that the mental health and disability
7 services commission serve as the risk pool board.

8 DIVISION IX — OPERATIONAL EFFICIENCIES. This division
9 provides that each state department and agency shall provide
10 departmental or agency notices or information through the
11 department's or agency's internet site or through electronic
12 mail to the fullest extent possible. The division also allows
13 departments and agencies to collect electronic mail addresses
14 for this purpose and provides that this information shall be
15 confidential.

16 DIVISION X — STATE RECORDS. This division eliminates
17 the state records commission and transfers the duties and
18 responsibilities of the state records commission to the
19 department of cultural affairs. The division includes a
20 transition provision that any rule promulgated by the state
21 records commission shall continue until changed by the
22 department of cultural affairs.

23 This division also authorizes the department of cultural
24 affairs to bill agencies for records storage and retention.
25 Code section 305.8 is amended to provide that the state records
26 commission establish rates to charge agencies for providing
27 records storage and retention services. New Code section
28 305.8A authorizes the department of cultural affairs to bill
29 agencies for records storage and retention services, establish
30 an internal service fund for receipt of moneys from agencies
31 billed for this purpose, and authorizes the department to
32 utilize moneys received and deposited in the fund for the
33 operations of the department in records storage and retention.
34 The division also provides that the department of cultural
35 affairs utilize the Iowa building as the centralized records

LSB 6025HV (4) 84
ec/rj

36/39

-36-



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 storage facility upon conclusion of the existing lease on the
2 building currently used for this purpose.

3 DIVISION XI — LOCAL GOVERNMENT. This division of the bill
4 changes the date of regular school elections for local school
5 districts, merged areas, and area education agencies. The bill
6 moves the date of the regular school election from the second
7 Tuesday in September in odd-numbered years to the first Tuesday
8 after the first Monday in November of odd-numbered years, which
9 is the date of the regular city election.

10 Because area education agency board directors are elected at
11 the director district conventions by members of school boards,
12 the bill also changes the date of their election from September
13 to November in the odd-numbered year. This division takes
14 effect January 1, 2014.

15 DIVISION XII — LOCAL GOVERNMENTS — ELECTRONIC PAYMENT.
16 This division provides that local governments shall encourage
17 persons to pay fees and taxes collected by local governments
18 by credit card, debit card, or other electronic means. The
19 division provides that local governments should reduce
20 convenience or other handling fees charged persons for
21 utilizing electronic payment.

22 DIVISION XIII — ONGOING PROGRAM REVIEW. This division of
23 the bill addresses regular review of programs and projects
24 administered by executive branch departments by providing for
25 implementation of an organized system of ongoing repeal dates
26 for the programs and projects. Code section 8.2 defines the
27 term "department" to mean any executive department, commission,
28 board, institution, bureau, office, or other agency of the
29 state government, that uses, expends, or receives any state
30 funds.

31 New Code section 8.71 states legislative findings as to the
32 purposes for performing a regular review of state programs and
33 projects. The state government efficiency review committee is
34 directed to propose legislation for the Eighty-fifth General
35 Assembly, 2014 session, providing a staggered schedule for

LSB 6025HV (4) 84
ec/rj

-37-

37/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 establishing an automatic repeal date for each program or
2 project administered by a department over the succeeding
3 five-year period. The review committee is required to
4 consult with the office of the governor and the department of
5 management in formulating the staggered schedule and the office
6 and the department are required to cooperate in providing
7 information requested by the committee. The repeal date
8 provisions are required to be implemented in a manner so that
9 any program or project that is reauthorized by law is again
10 subject to automatic repeal five years after reauthorization.

11 DIVISION XIV — IOWA JOBS BOARD. This division of this bill
12 eliminates the Iowa jobs board and provides that any duties
13 or responsibilities of the Iowa jobs board shall become the
14 responsibility of the Iowa finance authority. The division of
15 the bill also amends Code section 16.196, concerning the Iowa
16 jobs restricted capitals fund and associated appropriations, to
17 reflect the elimination of the Iowa jobs board. The division
18 also provides transition provisions relative to any contracts
19 or agreements entered into by the Iowa jobs board and provides
20 for a limitation of personal liability for actions by a member
21 or agent of the board taken prior to the effective date of this
22 division of the bill relative to the duties of the board.

23 DIVISION XV — BOARDS AND COMMISSIONS. This division of the
24 bill repeals the farm-to-school council.

25 DIVISION XVI — OBSOLETE PROVISIONS. This division of
26 the bill removes obsolete language from the Code relating
27 to programs administered by the department of workforce
28 development which are no longer active or funded.

29 The programs removed are the Iowa conservation corps, the
30 statewide mentoring program, and the new employment opportunity
31 program. The Iowa conservation corps was established to
32 provide public services jobs for certain specified segments of
33 the population in conservation-related areas. The statewide
34 mentoring program was established to recruit, screen, train,
35 and match individuals in mentoring relationships. The new

LSB 6025HV (4) 84

-38-

ec/rj

38/39



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2434

1 employment opportunity program was established to assist
2 individuals in underutilized segments of the workforce to gain
3 and retain employment.

4 This division of the bill repeals Code section 15.112,
5 relating to matching funds for a farmworks national
6 demonstration project; Code chapter 15C, relating to a world
7 trade center; Code chapter 15D, relating to the midwest nuclear
8 compact; and Code section 28K, relating to mid-America port
9 agreement. Code chapter 15D contains provisions relating to
10 repeal and withdrawal from the compact.

11 DIVISION XVII — OFFICE OF DRUG CONTROL POLICY. This
12 division provides that it is the intent of the general assembly
13 to enact legislation transferring the office of drug control
14 policy to the department of public safety.

15 DIVISION XVIII — HOMELAND SECURITY AND EMERGENCY MANAGEMENT
16 ORGANIZATION. This division provides that it is the intent of
17 the general assembly to enact legislation providing for the
18 establishment of a homeland security and emergency management
19 department separate from the department of public defense.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

House File 2435 - Introduced

HOUSE FILE 2435
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 661)

A BILL FOR

1 An Act relating to appropriations for health and human services
2 and including other related provisions and appropriations,
3 and including effective, retroactive, and applicability date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TL5B 5118HV (3) 84
pf/jp



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

DIVISION I

DEPARTMENT ON AGING

Section 1. 2011 Iowa Acts, chapter 129, section 113, is amended to read as follows:

SEC. 113. DEPARTMENT ON AGING. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department on aging and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for frail elders, Iowa's aging and disabilities resource center, and other services which may include but are not limited to adult day services, respite care, chore services, information and assistance, and material aid, for information and options counseling for persons with disabilities who are 18 years of age or older, and for salaries, support, administration, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,151,288
		<u>10,242,086</u>
.....	FTEs	35.00

1. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

2. The amount appropriated in this section includes additional funding of ~~\$225,000~~ \$450,000 for delivery of long-term care services to seniors with low or moderate

LSB 5118HV (3) 84

-1-

pf/jp

1/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 incomes.

2 3. Of the funds appropriated in this section, ~~\$89,973~~
3 \$179,946 shall be transferred to the department of economic
4 development for the Iowa commission on volunteer services to be
5 used for the retired and senior volunteer program.

6 3A. Of the funds appropriated in this section, \$200,000
7 shall be used for administration of the substitute decision
8 maker Act pursuant to chapter 231E.

9 4. a. The department on aging shall establish and enforce
10 procedures relating to expenditure of state and federal funds
11 by area agencies on aging that require compliance with both
12 state and federal laws, rules, and regulations, including but
13 not limited to all of the following:

14 (1) Requiring that expenditures are incurred only for goods
15 or services received or performed prior to the end of the
16 fiscal period designated for use of the funds.

17 (2) Prohibiting prepayment for goods or services not
18 received or performed prior to the end of the fiscal period
19 designated for use of the funds.

20 (3) Prohibiting the prepayment for goods or services
21 not defined specifically by good or service, time period, or
22 recipient.

23 (4) Prohibiting the establishment of accounts from which
24 future goods or services which are not defined specifically by
25 good or service, time period, or recipient, may be purchased.

26 b. The procedures shall provide that if any funds are
27 expended in a manner that is not in compliance with the
28 procedures and applicable federal and state laws, rules, and
29 regulations, and are subsequently subject to repayment, the
30 area agency on aging expending such funds in contravention of
31 such procedures, laws, rules and regulations, not the state,
32 shall be liable for such repayment.

33 5. The amount appropriated in this section reflects a
34 reduction in expenditures for office supplies, purchases
35 of equipment, office equipment, printing and binding, and

LSB 5118HV (3) 84

pf/jp

2/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 marketing, that shall be applied equitably to programs under
2 the purview of the department.

3 DIVISION II

4 DEPARTMENT OF PUBLIC HEALTH

5 Sec. 2. 2011 Iowa Acts, chapter 129, section 114, is amended
6 to read as follows:

7 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
8 appropriated from the general fund of the state to the
9 department of public health for the fiscal year beginning July
10 1, 2012, and ending June 30, 2013, the following amounts, or
11 so much thereof as is necessary, to be used for the purposes
12 designated:

13 1. ADDICTIVE DISORDERS

14 For reducing the prevalence of use of tobacco, alcohol, and
15 other drugs, and treating individuals affected by addictive
16 behaviors, including gambling, and for not more than the
17 following full-time equivalent positions:

18	\$ 11,751,595
19	20,663,690
20	FTEs 13.00

21 a. ~~(1) Of the funds appropriated in this subsection,~~
22 ~~\$1,626,915 shall be used for the tobacco use prevention~~
23 ~~and control initiative, including efforts at the state and~~
24 ~~local levels, as provided in chapter 142A. The commission~~
25 ~~on tobacco use prevention and control established pursuant~~
26 ~~to section 142A.3 shall advise the director of public health~~
27 ~~in prioritizing funding needs and the allocation of moneys~~
28 ~~appropriated for the programs and activities of the initiative~~
29 ~~under this subparagraph (1) and shall make recommendations to~~
30 ~~the director in the development of budget requests relating to~~
31 ~~the initiative.~~

32 (2) Of the funds allocated appropriated in this paragraph
33 "a", ~~\$226,915~~ subsection, \$453,830 shall be transferred to the
34 alcoholic beverages division of the department of commerce
35 for enforcement of tobacco laws, regulations, and ordinances



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 in accordance with 2011 Iowa Acts, ~~House File 467, as enacted~~
2 chapter 63.

3 b. Of the funds appropriated in this subsection,
4 ~~\$10,124,680~~ \$20,249,360 shall be used for problem gambling and
5 substance abuse prevention, treatment, and recovery services,
6 including a 24-hour helpline, public information resources,
7 professional training, and program evaluation.

8 (1) Of the funds allocated in this paragraph "b", ~~\$8,566,254~~
9 \$17,132,508 shall be used for substance abuse prevention and
10 treatment.

11 (a) Of the funds allocated in this subparagraph (1),
12 ~~\$449,650~~ \$899,300 shall be used for the public purpose of a
13 grant program to provide substance abuse prevention programming
14 for children.

15 (i) Of the funds allocated in this subparagraph division
16 (a), ~~\$213,769~~ \$427,539 shall be used for grant funding for
17 organizations that provide programming for children by
18 utilizing mentors. Programs approved for such grants shall be
19 certified or will be certified within six months of receiving
20 the grant award by the Iowa commission on volunteer services as
21 utilizing the standards for effective practice for mentoring
22 programs.

23 (ii) Of the funds allocated in this subparagraph division
24 (a), ~~\$213,419~~ \$426,839 shall be used for grant funding for
25 organizations that provide programming that includes youth
26 development and leadership. The programs shall also be
27 recognized as being programs that are scientifically based with
28 evidence of their effectiveness in reducing substance abuse in
29 children.

30 (iii) The department of public health shall utilize a
31 request for proposals process to implement the grant program.

32 (iv) All grant recipients shall participate in a program
33 evaluation as a requirement for receiving grant funds.

34 (v) Of the funds allocated in this subparagraph division
35 (a), up to ~~\$22,461~~ \$44,922 may be used to administer substance

LSB 5118HV (3) 84

-4-

pf/jp

4/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 abuse prevention grants and for program evaluations.

2 (b) Of the funds allocated in this subparagraph (1),
3 ~~\$136,531~~ \$273,062 shall be used for culturally competent
4 substance abuse treatment pilot projects.

5 (i) The department shall utilize the amount allocated
6 in this subparagraph division (b) for at least three pilot
7 projects to provide culturally competent substance abuse
8 treatment in various areas of the state. Each pilot project
9 shall target a particular ethnic minority population. The
10 populations targeted shall include but are not limited to
11 African American, Asian, and Latino.

12 (ii) The pilot project requirements shall provide for
13 documentation or other means to ensure access to the cultural
14 competence approach used by a pilot project so that such
15 approach can be replicated and improved upon in successor
16 programs.

17 (2) Of the funds allocated in this paragraph "b", up
18 to ~~\$1,558,426~~ \$3,116,852 may be used for problem gambling
19 prevention, treatment, and recovery services.

20 (a) Of the funds allocated in this subparagraph (2),
21 ~~\$1,289,500~~ \$2,579,000 shall be used for problem gambling
22 prevention and treatment.

23 (b) Of the funds allocated in this subparagraph (2), up to
24 ~~\$218,926~~ \$437,852 may be used for a 24-hour helpline, public
25 information resources, professional training, and program
26 evaluation.

27 (c) Of the funds allocated in this subparagraph (2), up
28 to ~~\$50,000~~ \$100,000 may be used for the licensing of problem
29 gambling treatment programs.

30 (3) It is the intent of the general assembly that from the
31 moneys allocated in this paragraph "b", persons with a dual
32 diagnosis of substance abuse and gambling addictions shall be
33 given priority in treatment services.

34 c. Notwithstanding any provision of law to the contrary,
35 to standardize the availability, delivery, cost of delivery,



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 and accountability of problem gambling and substance abuse
2 treatment services statewide, the department shall continue
3 implementation of a process to create a system for delivery
4 of treatment services in accordance with the requirements
5 specified in 2008 Iowa Acts, chapter 1187, section 3,
6 subsection 4. To ensure the system provides a continuum of
7 treatment services that best meets the needs of Iowans, the
8 problem gambling and substance abuse treatment services in any
9 area may be provided either by a single agency or by separate
10 agencies submitting a joint proposal.

11 (1) The system for delivery of substance abuse and problem
12 gambling treatment shall include problem gambling prevention.

13 (2) The system for delivery of substance abuse and problem
14 gambling treatment shall include substance abuse prevention by
15 July 1, 2014.

16 (3) Of the funds allocated in paragraph "b", the department
17 may use up to ~~\$50,000~~ \$100,000 for administrative costs to
18 continue developing and implementing the process in accordance
19 with this paragraph "c".

20 d. The requirement of section 123.53, subsection 5, is met
21 by the appropriations and allocations made in this Act for
22 purposes of substance abuse treatment and addictive disorders
23 for the fiscal year beginning July 1, 2012.

24 e. The department of public health shall work with all other
25 departments that fund substance abuse prevention and treatment
26 services and all such departments shall, to the extent
27 necessary, collectively meet the state maintenance of effort
28 requirements for expenditures for substance abuse services
29 as required under the federal substance abuse prevention and
30 treatment block grant.

31 f. The department shall amend or otherwise revise
32 departmental policies and contract provisions in order to
33 eliminate free t-shirt distribution, banner production, and
34 other unnecessary promotional expenditures.

35 g. The amount appropriated in this subsection reflects

LSB 5118HV (3) 84

-6-

pf/jp

6/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 a reduction in expenditures for office supplies, purchases
2 of equipment, office equipment, printing and binding, and
3 marketing, that shall be applied equitably to the programs
4 under this subsection.

5 2. HEALTHY CHILDREN AND FAMILIES

6 For promoting the optimum health status for children,
7 adolescents from birth through 21 years of age, and families,
8 and for not more than the following full-time equivalent
9 positions:

10	\$	1,297,135
11		<u>2,578,559</u>
12	FTEs	10.00

13 a. Of the funds appropriated in this subsection, not
14 more than ~~\$369,659~~ \$739,318 shall be used for the healthy
15 opportunities to experience success (HOPES)-healthy families
16 Iowa (HFI) program established pursuant to section 135.106.
17 The funding shall be distributed to renew the grants that were
18 provided to the grantees that operated the program during the
19 fiscal year ending June 30, 2012.

20 b. Of the funds appropriated in this subsection, ~~\$164,942~~
21 \$329,885 shall be used to continue to address the healthy
22 mental development of children from birth through five years
23 of age through local evidence-based strategies that engage
24 both the public and private sectors in promoting healthy
25 development, prevention, and treatment for children.

26 c. Of the funds appropriated in this subsection, ~~\$15,798~~
27 \$31,597 shall be distributed to a statewide dental carrier to
28 provide funds to continue the donated dental services program
29 patterned after the projects developed by the lifeline network
30 to provide dental services to indigent elderly and disabled
31 individuals.

32 d. Of the funds appropriated in this subsection, ~~\$56,338~~
33 \$112,677 shall be used for childhood obesity prevention.

34 e. Of the funds appropriated in this subsection, ~~\$81,880~~
35 \$163,760 shall be used to provide audiological services and

LSB 5118HV (3) 84

-7-

pf/jp

7/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 hearing aids for children. The department may enter into a
2 contract to administer this paragraph.

3 f. The amount appropriated in this subsection reflects
4 a reduction in expenditures for office supplies, purchases
5 of equipment, office equipment, printing and binding, and
6 marketing, that shall be applied equitably to the programs
7 under this subsection.

8 3. CHRONIC CONDITIONS

9 For serving individuals identified as having chronic
10 conditions or special health care needs, and for not more than
11 the following full-time equivalent positions:

12	\$	1,680,828
13		<u>3,305,620</u>
14	FTEs	4.00

15 a. Of the funds appropriated in this subsection, ~~\$80,291~~
16 \$160,582 shall be used for grants to individual patients
17 who have phenylketonuria (PKU) to assist with the costs of
18 necessary special foods.

19 b. Of the funds appropriated in this subsection, ~~\$241,800~~
20 \$483,600 is allocated for continuation of the contracts for
21 resource facilitator services in accordance with section
22 135.22B, subsection 9, and for brain injury training services
23 and recruiting of service providers to increase the capacity
24 within this state to address the needs of individuals with
25 brain injuries and such individuals' families.

26 c. Of the funds appropriated in this subsection, ~~\$249,437~~
27 \$498,874 shall be used as additional funding to leverage
28 federal funding through the federal Ryan White Care Act, Tit.
29 II, AIDS drug assistance program supplemental drug treatment
30 grants.

31 d. Of the funds appropriated in this subsection, ~~\$15,627~~
32 \$31,254 shall be used for the public purpose of providing
33 a grant to an existing national-affiliated organization to
34 provide education, client-centered programs, and client and
35 family support for people living with epilepsy and their



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 families.

2 e. Of the funds appropriated in this subsection, ~~\$394,151~~
3 \$788,303 shall be used for child health specialty clinics.

4 f. Of the funds appropriated in this subsection, ~~\$248,533~~
5 \$497,065 shall be used for the comprehensive cancer control
6 program to reduce the burden of cancer in Iowa through
7 prevention, early detection, effective treatment, and ensuring
8 quality of life. Of the funds allocated in this lettered
9 paragraph, ~~\$75,000~~ \$150,000 shall be used to support a melanoma
10 research symposium, a melanoma biorepository and registry,
11 basic and translational melanoma research, and clinical trials.

12 g. Of the funds appropriated in this subsection, ~~\$63,225~~
13 \$126,450 shall be used for cervical and colon cancer screening.

14 h. Of the funds appropriated in this subsection, ~~\$264,417~~
15 \$528,834 shall be used for the center for congenital and
16 inherited disorders.

17 i. Of the funds appropriated in this subsection, ~~\$64,968~~
18 \$100,000 shall be used for the prescription drug donation
19 repository program created in chapter 135M.

20 j. The amount appropriated in this subsection reflects
21 a reduction in expenditures for office supplies, purchases
22 of equipment, office equipment, printing and binding, and
23 marketing, that shall be applied equitably to the programs
24 under this subsection.

25 4. COMMUNITY CAPACITY

26 For strengthening the health care delivery system at the
27 local level, and for not more than the following full-time
28 equivalent positions:

29	\$	2,117,583
30		<u>3,788,859</u>
31	FTEs	14.00

32 a. Of the funds appropriated in this subsection, ~~\$50,000~~
33 \$100,000 is allocated for a child vision screening program
34 implemented through the university of Iowa hospitals and
35 clinics in collaboration with early childhood Iowa areas.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 b. Of the funds appropriated in this subsection, ~~\$55,654~~
2 \$111,308 is allocated for continuation of an initiative
3 implemented at the university of Iowa and ~~\$50,246~~ \$100,493
4 is allocated for continuation of an initiative at the state
5 mental health institute at Cherokee to expand and improve the
6 workforce engaged in mental health treatment and services.
7 The initiatives shall receive input from the university of
8 Iowa, the department of human services, the department of
9 public health, and the mental health and disability services
10 commission to address the focus of the initiatives.
11 c. Of the funds appropriated in this subsection, ~~\$585,745~~
12 \$1,171,491 shall be used for essential public health services
13 that promote healthy aging throughout the lifespan, contracted
14 through a formula for local boards of health, to enhance health
15 promotion and disease prevention services.
16 d. Of the funds appropriated in this section, ~~\$60,908~~
17 \$100,000 shall be deposited in the governmental public health
18 system fund created in section 135A.8 to be used for the
19 purposes of the fund.
20 e. Of the funds appropriated in this subsection, ~~\$72,271~~
21 \$144,542 shall be used for the mental health professional
22 shortage area program implemented pursuant to section 135.80.
23 f. Of the funds appropriated in this subsection, ~~\$19,131~~
24 \$38,263 shall be used for a grant to a statewide association
25 of psychologists that is affiliated with the American
26 psychological association to be used for continuation of a
27 program to rotate intern psychologists in placements in urban
28 and rural mental health professional shortage areas, as defined
29 in section ~~135.80~~ 135.180.
30 g. Of the funds appropriated in this subsection, the
31 following amounts shall be allocated to the Iowa collaborative
32 safety net provider network established pursuant to section
33 135.153 to be used for the purposes designated. The following
34 amounts allocated under this lettered paragraph shall be
35 distributed to the specified provider and shall not be reduced

LSB 5118HV (3) 84

-10-

pf/jp

10/64

Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1	for administrative or other costs prior to distribution:	
2	(1) For distribution to the Iowa primary care association	
3	for statewide coordination of the Iowa collaborative safety net	
4	provider network:	
5	.....	\$ 66,290
6		<u>70,000</u>
7	(2) For distribution to the local boards of health that	
8	provide direct services for pilot programs in three counties to	
9	assist patients in determining an appropriate medical home:	
10	.....	\$ 38,804
11		<u>77,609</u>
12	(3) For distribution to maternal and child health centers	
13	for pilot programs in three counties to assist patients in	
14	determining an appropriate medical home:	
15	.....	\$ 38,804
16		<u>77,609</u>
17	(4) For distribution to free clinics for necessary	
18	infrastructure, statewide coordination, provider recruitment,	
19	service delivery, and provision of assistance to patients in	
20	determining an appropriate medical home:	
21	.....	\$ 62,025
22		<u>124,050</u>
23	(5) For distribution to rural health clinics for necessary	
24	infrastructure, statewide coordination, provider recruitment,	
25	service delivery, and provision of assistance to patients in	
26	determining an appropriate medical home:	
27	.....	\$ 55,215
28		<u>110,430</u>
29	(6) For continuation of the safety net provider patient	
30	access to specialty health care initiative as described in 2007	
31	Iowa Acts, chapter 218, section 109:	
32	.....	\$ 130,000
33		<u>260,000</u>
34	(7) For continuation of the pharmaceutical infrastructure	
35	for safety net providers as described in 2007 Iowa Acts,	

LSB 5118HV (3) 84

pf/jp

11/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 chapter 218, section 108:

2 \$ 135,000
3 270,000

4 The Iowa collaborative safety net provider network may
5 continue to distribute funds allocated pursuant to this
6 lettered paragraph through existing contracts or renewal of
7 existing contracts.

8 ~~h. (1) Of the funds appropriated in this subsection,~~
9 ~~\$74,500 shall be used for continued implementation of~~
10 ~~the recommendations of the direct care worker task force~~
11 ~~established pursuant to 2005 Iowa Acts, chapter 88, based upon~~
12 ~~the report submitted to the governor and the general assembly~~
13 ~~in December 2006. The department may use a portion of the~~
14 ~~funds allocated in this lettered paragraph for an additional~~
15 ~~position to assist in the continued implementation.~~

16 ~~i. (1) Of the funds appropriated in this subsection,~~
17 ~~\$65,050 shall be used for allocation to an independent~~
18 ~~statewide direct care worker association under a contract with~~
19 ~~terms determined by the director of public health relating~~
20 ~~to education, outreach, leadership development, mentoring,~~
21 ~~and other initiatives intended to enhance the recruitment and~~
22 ~~retention of direct care workers in health care and long-term~~
23 ~~care settings.~~

24 ~~(2) Of the funds appropriated in this subsection, \$29,000~~
25 ~~shall be used to provide scholarships or other forms of~~
26 ~~subsidization for direct care worker educational conferences,~~
27 ~~training, or outreach activities.~~

28 j. Of the funds appropriated in this subsection, the
29 department may use up to ~~\$29,259~~ \$58,518 for up to one
30 full-time equivalent position to administer the volunteer
31 health care provider program pursuant to section 135.24.

32 k. Of the funds appropriated in this subsection, ~~\$25,000~~
33 \$50,000 shall be used for a matching dental education loan
34 repayment program to be allocated to a dental nonprofit health
35 service corporation to develop the criteria and implement the

LSB 5118HV (3) 84

-12-

pf/jp

12/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 loan repayment program.

2 1. The amount appropriated in this subsection reflects
3 a reduction in expenditures for office supplies, purchases
4 of equipment, office equipment, printing and binding, and
5 marketing, that shall be applied equitably to the programs
6 under this subsection.

7 5. HEALTHY AGING

8 To provide public health services that reduce risks and
9 invest in promoting and protecting good health over the
10 course of a lifetime with a priority given to older Iowans and
11 vulnerable populations:

12 \$ 3,648,571
13 7,297,142

14 a. Of the funds appropriated in this subsection, ~~\$1,004,593~~
15 \$2,009,187 shall be used for local public health nursing
16 services.

17 b. Of the funds appropriated in this subsection, ~~\$2,643,977~~
18 \$5,287,955 shall be used for home care aide services.

19 6. ENVIRONMENTAL HAZARDS

20 For reducing the public's exposure to hazards in the
21 environment, primarily chemical hazards, and for not more than
22 the following full-time equivalent positions:

23 \$ 406,888
24 803,870
25 FTEs 4.00

26 a. Of the funds appropriated in this subsection, ~~\$272,188~~
27 \$544,377 shall be used for childhood lead poisoning provisions.

28 b. The amount appropriated in this subsection reflects
29 a reduction in expenditures for office supplies, purchases
30 of equipment, office equipment, printing and binding, and
31 marketing, that shall be applied equitably to the programs
32 under this subsection.

33 7. INFECTIOUS DISEASES

34 For reducing the incidence and prevalence of communicable
35 diseases, and for not more than the following full-time

LSB 5118HV (3) 84

-13-

pf/jp

13/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 equivalent positions:

2	\$	672,923
3		<u>1,335,155</u>
4	FTEs	4.00

5 The amount appropriated in this subsection reflects a
6 reduction in expenditures for office supplies, purchases
7 of equipment, office equipment, printing and binding, and
8 marketing, that shall be applied equitably to the programs
9 under this subsection.

10 8. PUBLIC PROTECTION

11 For protecting the health and safety of the public through
12 establishing standards and enforcing regulations, and for not
13 more than the following full-time equivalent positions:

14	\$	1,388,116
15		<u>2,540,489</u>
16	FTEs	125.00

17 a. Of the funds appropriated in this subsection, not more
18 than ~~\$235,845~~ \$471,690 shall be credited to the emergency
19 medical services fund created in section 135.25. Moneys in
20 the emergency medical services fund are appropriated to the
21 department to be used for the purposes of the fund.

22 b. Of the funds appropriated in this subsection, ~~\$105,309~~
23 \$210,619 shall be used for sexual violence prevention
24 programming through a statewide organization representing
25 programs serving victims of sexual violence through the
26 department's sexual violence prevention program. The amount
27 allocated in this lettered paragraph shall not be used to
28 supplant funding administered for other sexual violence
29 prevention or victims assistance programs.

30 c. Of the funds appropriated in this subsection, not more
31 than ~~\$218,291~~ \$436,582 shall be used for the state poison
32 control center.

33 d. The amount appropriated in this subsection reflects
34 a reduction in expenditures for office supplies, purchases
35 of equipment, office equipment, printing and binding, and

LSB 5118HV (3) 84

-14-

pf/jp

14/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 marketing, that shall be applied equitably to the programs
2 under this subsection.

3 9. RESOURCE MANAGEMENT

4 For establishing and sustaining the overall ability of the
5 department to deliver services to the public, and for not more
6 than the following full-time equivalent positions:

7	\$	409,777
8		734,500
9	FTEs	7.00

10 The amount appropriated in this subsection reflects a
11 reduction in expenditures for office supplies, purchases
12 of equipment, office equipment, printing and binding, and
13 marketing, that shall be applied equitably across programs
14 under the purview of the department under this subsection.

15 The university of Iowa hospitals and clinics under the
16 control of the state board of regents shall not receive
17 indirect costs from the funds appropriated in this section.
18 The university of Iowa hospitals and clinics billings to the
19 department shall be on at least a quarterly basis.

20 DIVISION III

21 DEPARTMENT OF VETERANS AFFAIRS

22 Sec. 3. 2011 Iowa Acts, chapter 129, section 115, is amended
23 to read as follows:

24 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There is
25 appropriated from the general fund of the state to the
26 department of veterans affairs for the fiscal year beginning
27 July 1, 2012, and ending June 30, 2013, the following amounts,
28 or so much thereof as is necessary, to be used for the purposes
29 designated:

30 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

31 For salaries, support, maintenance, and miscellaneous
32 purposes, including the war orphans educational assistance fund
33 created in section 35.8, and for not more than the following
34 full-time equivalent positions:

35	\$	499,416
----------	----	---------

LSB 5118HV (3) 84

-15-

pf/jp

15/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 1,000,819
2 FTEs 16.34
3 The amount appropriated in this subsection reflects a
4 reduction in expenditures for office supplies, purchases
5 of equipment, office equipment, printing and binding, and
6 marketing, that shall be applied equitably to the programs
7 under this subsection.
8 2. IOWA VETERANS HOME
9 For salaries, support, maintenance, and miscellaneous
10 purposes:
11 \$ 4,476,075
12 8,775,714
13 a. The Iowa veterans home billings involving the department
14 of human services shall be submitted to the department on at
15 least a monthly basis.
16 b. If there is a change in the employer of employees
17 providing services at the Iowa veterans home under a collective
18 bargaining agreement, such employees and the agreement shall
19 be continued by the successor employer as though there had not
20 been a change in employer.
21 c. Within available resources and in conformance with
22 associated state and federal program eligibility requirements,
23 the Iowa veterans home may implement measures to provide
24 financial assistance to or on behalf of veterans or their
25 spouses participating in the community reentry program.
26 d. The Iowa veterans home expenditure report shall be
27 submitted monthly to the legislative services agency.
28 e. The amount appropriated in this subsection reflects
29 a reduction in expenditures for office supplies, purchases
30 of equipment, office equipment, printing and binding, and
31 marketing, that shall be applied equitably to the programs
32 under this subsection.
33 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF DECEASED
34 VETERANS
35 For provision of educational assistance pursuant to section

LSB 5118HV (3) 84

-16-

pf/jp

16/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 35.9:

2 \$ ~~6,208~~

3 12,416

4 Sec. 4. 2011 Iowa Acts, chapter 129, section 116, is amended
5 to read as follows:

6 SEC. 116. LIMITATION OF COUNTY COMMISSION OF VETERANS
7 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the
8 standing appropriation in the following designated section for
9 the fiscal year beginning July 1, 2012, and ending June 30,
10 2013, the amounts appropriated from the general fund of the
11 state pursuant to that section for the following designated
12 purposes shall not exceed the following amount:

13 For the county commissions of veterans affairs fund under
14 section 35A.16:

15 \$ ~~495,000~~

16 990,000

17 DIVISION IV

18 DEPARTMENT OF HUMAN SERVICES

19 Sec. 5. 2011 Iowa Acts, chapter 129, section 117, is amended
20 to read as follows:

21 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
22 GRANT. There is appropriated from the fund created in section
23 8.41 to the department of human services for the fiscal year
24 beginning July 1, 2012, and ending June 30, 2013, from moneys
25 received under the federal temporary assistance for needy
26 families (TANF) block grant pursuant to the federal Personal
27 Responsibility and Work Opportunity Reconciliation Act of 1996,
28 Pub. L. No. 104-193, and successor legislation, and from moneys
29 received under the emergency contingency fund for temporary
30 assistance for needy families state program established
31 pursuant to the federal American Recovery and Reinvestment Act
32 of 2009, Pub. L. No. 111-5 § 2101, and successor legislation,
33 the following amounts, or so much thereof as is necessary, to
34 be used for the purposes designated:

35 1. To be credited to the family investment program account

LSB 5118HV (3) 84

-17-

pf/jp

17/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 and used for assistance under the family investment program
2 under chapter 239B:
3 \$ ~~10,750,369~~
4 19,790,365
5 2. To be credited to the family investment program account
6 and used for the job opportunities and basic skills (JOBS)
7 program and implementing family investment agreements in
8 accordance with chapter 239B:
9 \$ ~~6,205,764~~
10 12,411,528
11 3. To be used for the family development and
12 self-sufficiency grant program in accordance with section
13 216A.107:
14 \$ ~~1,449,490~~
15 2,898,980
16 Notwithstanding section 8.33, moneys appropriated in this
17 subsection that remain unencumbered or unobligated at the close
18 of the fiscal year shall not revert but shall remain available
19 for expenditure for the purposes designated until the close of
20 the succeeding fiscal year. However, unless such moneys are
21 encumbered or obligated on or before September 30, 2013, the
22 moneys shall revert.
23 4. For field operations:
24 \$ ~~15,648,116~~
25 31,296,232
26 5. For general administration:
27 \$ ~~1,872,000~~
28 3,744,000
29 6. For state child care assistance:
30 \$ ~~8,191,343~~
31 16,382,687
32 The funds appropriated in this subsection shall be
33 transferred to the child care and development block grant
34 appropriation made by the Eighty-fourth General Assembly,
35 2012 Session, for the federal fiscal year beginning October

LSB 5118HV (3) 84

-18-

pf/jp

18/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 1, 2012, and ending September 30, 2013. Of this amount,
2 ~~\$100,000~~ \$200,000 shall be used for provision of educational
3 opportunities to registered child care home providers in order
4 to improve services and programs offered by this category
5 of providers and to increase the number of providers. The
6 department may contract with institutions of higher education
7 or child care resource and referral centers to provide
8 the educational opportunities. Allowable administrative
9 costs under the contracts shall not exceed 5 percent. The
10 application for a grant shall not exceed two pages in length.

11 7. For mental health and developmental disabilities
12 community services:

13 \$ 2,447,026
14 4,894,052

15 8. For child and family services:

16 \$ 16,042,215
17 32,084,430

18 9. For child abuse prevention grants:

19 \$ 62,500
20 125,000

21 10. For pregnancy prevention grants on the condition that
22 family planning services are funded:

23 \$ 965,033
24 1,930,067

25 Pregnancy prevention grants shall be awarded to programs
26 in existence on or before July 1, 2012, if the programs have
27 demonstrated positive outcomes. Grants shall be awarded to
28 pregnancy prevention programs which are developed after July
29 1, 2012, if the programs are based on existing models that
30 have demonstrated positive outcomes. Grants shall comply with
31 the requirements provided in 1997 Iowa Acts, chapter 208,
32 section 14, subsections 1 and 2, including the requirement that
33 grant programs must emphasize sexual abstinence. Priority in
34 the awarding of grants shall be given to programs that serve
35 areas of the state which demonstrate the highest percentage of

LSB 5118HV (3) 84

-19-

pf/jp

19/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 unplanned pregnancies of females of childbearing age within the
2 geographic area to be served by the grant.

3 11. For technology needs and other resources necessary
4 to meet federal welfare reform reporting, tracking, and case
5 management requirements:

6 \$ ~~518,593~~
7 1,037,186

8 12. To be credited to the state child care assistance
9 appropriation made in this section to be used for funding of
10 community-based early childhood programs targeted to children
11 from birth through five years of age developed by early
12 childhood Iowa areas as provided in section 256I.11:

13 \$ ~~3,175,000~~
14 6,350,000

15 The department shall transfer TANF block grant funding
16 appropriated and allocated in this subsection to the child care
17 and development block grant appropriation in accordance with
18 federal law as necessary to comply with the provisions of this
19 subsection.

20 13. a. Notwithstanding any provision to the contrary,
21 including but not limited to requirements in section 8.41 or
22 provisions in 2011 or 2012 Iowa Acts regarding the receipt
23 and appropriation of federal block grants, federal funds
24 from the emergency contingency fund for temporary assistance
25 for needy families state program established pursuant to the
26 federal American Recovery and Reinvestment Act of 2009, Pub.
27 L. No. 111-5 § 2101, received by the state during the fiscal
28 year beginning July 1, 2011, and ending June 30, 2012, not
29 otherwise appropriated in this section and remaining available
30 as of July 1, 2012, and received by the state during the fiscal
31 year beginning July 1, 2012, and ending June 30, 2013, are
32 appropriated to the extent as may be necessary to be used in
33 the following priority order: the family investment program
34 for the fiscal year and for state child care assistance program
35 payments for individuals enrolled in the family investment

LSB 5118HV (3) 84

-20-

pf/jp

20/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 program who are employed. The federal funds appropriated in
2 this paragraph "a" shall be expended only after all other
3 funds appropriated in subsection 1 for the assistance under
4 the family investment program under chapter 239B have been
5 expended.

6 b. The department shall, on a quarterly basis, advise the
7 legislative services agency and department of management of
8 the amount of funds appropriated in this subsection that was
9 expended in the prior quarter.

10 14. Of the amounts appropriated in this section, ~~\$6,481,004~~
11 \$12,962,008 for the fiscal year beginning July 1, 2012, shall
12 be transferred to the appropriation of the federal social
13 services block grant made for that fiscal year.

14 15. For continuation of the program allowing the department
15 to maintain categorical eligibility for the food assistance
16 program as required under the section of this division relating
17 to the family investment account:

18	\$	73,036
19		<u>25,000</u>

20 16. The department may transfer funds allocated in this
21 section to the appropriations made in this division of this Act
22 for general administration and field operations for resources
23 necessary to implement and operate the services referred to in
24 this section and those funded in the appropriation made in this
25 division of this Act for the family investment program from the
26 general fund of the state.

27 Sec. 6. 2011 Iowa Acts, chapter 129, section 118, is amended
28 to read as follows:

29 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

30 1. Moneys credited to the family investment program (FIP)
31 account for the fiscal year beginning July 1, 2012, and
32 ending June 30, 2013, shall be used to provide assistance in
33 accordance with chapter 239B.

34 2. The department may use a portion of the moneys credited
35 to the FIP account under this section as necessary for

LSB 5118HV (3) 84

-21-

pf/jp

21/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 salaries, support, maintenance, and miscellaneous purposes.

2 3. The department may transfer funds allocated in this
3 section to the appropriations in this division of this Act
4 for general administration and field operations for resources
5 necessary to implement and operate the services referred to in
6 this section and those funded in the appropriation made in this
7 division of this Act for the family investment program from the
8 general fund of the state.

9 4. Moneys appropriated in this division of this Act and
10 credited to the FIP account for the fiscal year beginning July
11 1, 2012, and ending June 30, 2013, are allocated as follows:

12 a. To be retained by the department of human services to
13 be used for coordinating with the department of human rights
14 to more effectively serve participants in the FIP program and
15 other shared clients and to meet federal reporting requirements
16 under the federal temporary assistance for needy families block
17 grant:

18	\$	10,000
19		<u>20,000</u>

20 b. To the department of human rights for staffing,
21 administration, and implementation of the family development
22 and self-sufficiency grant program in accordance with section
23 216A.107:

24	\$	2,671,417
25		<u>5,342,834</u>

26 (1) Of the funds allocated for the family development and
27 self-sufficiency grant program in this lettered paragraph,
28 not more than 5 percent of the funds shall be used for the
29 administration of the grant program.

30 (2) The department of human rights may continue to implement
31 the family development and self-sufficiency grant program
32 statewide during fiscal year 2012-2013.

33 c. For the diversion subaccount of the FIP account:

34	\$	849,200
35		<u>1,698,400</u>

LSB 5118HV (3) 84

-22-

pf/jp

22/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 A portion of the moneys allocated for the subaccount may
2 be used for field operations salaries, data management system
3 development, and implementation costs and support deemed
4 necessary by the director of human services in order to
5 administer the FIP diversion program.

6 d. For the food stamp employment and training program:

7 \$ 33,294
8 66,588

9 (1) The department shall amend the food stamp employment and
10 training state plan in order to maximize to the fullest extent
11 permitted by federal law the use of the 50-50 match provisions
12 for the claiming of allowable federal matching funds from the
13 United States department of agriculture pursuant to the federal
14 food stamp employment and training program for providing
15 education, employment, and training services for eligible food
16 assistance program participants, including but not limited to
17 related dependent care and transportation expenses.

18 (2) The department shall continue the categorical federal
19 food assistance program eligibility at 160 percent of the
20 federal poverty level and continue to eliminate the asset test
21 from eligibility requirements, consistent with federal food
22 assistance program requirements. The department shall include
23 as many food assistance households as is allowed by federal
24 law. The eligibility provisions shall conform to all federal
25 requirements including requirements addressing individuals who
26 are incarcerated or otherwise ineligible.

27 e. For the JOBS program:

28 \$ ~~10,117,952~~
29 20,235,905

30 5. Of the child support collections assigned under FIP,
31 an amount equal to the federal share of support collections
32 shall be credited to the child support recovery appropriation
33 made in this division of this Act. Of the remainder of the
34 assigned child support collections received by the child
35 support recovery unit, a portion shall be credited to the FIP

LSB 5118HV (3) 84

-23-

pf/jp

23/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 account, a portion may be used to increase recoveries, and a
2 portion may be used to sustain cash flow in the child support
3 payments account. If as a consequence of the appropriations
4 and allocations made in this section the resulting amounts
5 are insufficient to sustain cash assistance payments and meet
6 federal maintenance of effort requirements, the department
7 shall seek supplemental funding. If child support collections
8 assigned under FIP are greater than estimated or are otherwise
9 determined not to be required for maintenance of effort, the
10 state share of either amount may be transferred to or retained
11 in the child support payment account.

12 6. The department may adopt emergency rules for the family
13 investment, JOBS, food stamp, and medical assistance programs
14 if necessary to comply with federal requirements.

15 Sec. 7. 2011 Iowa Acts, chapter 129, section 119, is amended
16 to read as follows:

17 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
18 is appropriated from the general fund of the state to the
19 department of human services for the fiscal year beginning July
20 1, 2012, and ending June 30, 2013, the following amount, or
21 so much thereof as is necessary, to be used for the purpose
22 designated:

23 To be credited to the family investment program (FIP)
24 account and used for family investment program assistance under
25 chapter 239B:

26 \$ ~~25,085,513~~
27 45,286,573

28 1. Of the funds appropriated in this section, ~~\$3,912,188~~
29 \$7,824,377 is allocated for the JOBS program.

30 2. Of the funds appropriated in this section, ~~\$1,231,927~~
31 \$2,463,854 is allocated for the family development and
32 self-sufficiency grant program.

33 3. Notwithstanding section 8.39, for the fiscal year
34 beginning July 1, 2012, if necessary to meet federal
35 maintenance of effort requirements or to transfer federal

LSB 5118HV (3) 84

-24-

pf/jp

24/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 temporary assistance for needy families block grant funding
2 to be used for purposes of the federal social services block
3 grant or to meet cash flow needs resulting from delays in
4 receiving federal funding or to implement, in accordance with
5 this division of this Act, activities currently funded with
6 juvenile court services, county, or community moneys and state
7 moneys used in combination with such moneys, the department
8 of human services may transfer funds within or between any
9 of the appropriations made in this division of this Act and
10 appropriations in law for the federal social services block
11 grant to the department for the following purposes, provided
12 that the combined amount of state and federal temporary
13 assistance for needy families block grant funding for each
14 appropriation remains the same before and after the transfer:

- 15 a. For the family investment program.
- 16 b. For child care assistance.
- 17 c. For child and family services.
- 18 d. For field operations.
- 19 e. For general administration.
- 20 f. MH/MR/DD/BI community services (local purchase).

21 This subsection shall not be construed to prohibit the use
22 of existing state transfer authority for other purposes. The
23 department shall report any transfers made pursuant to this
24 subsection to the legislative services agency.

25 4. Of the funds appropriated in this section, ~~\$97,839~~
26 \$195,678 shall be used for continuation of a grant to an
27 Iowa-based nonprofit organization with a history of providing
28 tax preparation assistance to low-income Iowans in order to
29 expand the usage of the earned income tax credit. The purpose
30 of the grant is to supply this assistance to underserved areas
31 of the state.

32 5. The amount appropriated in this section reflects a
33 reduction in expenditures for office supplies, purchases
34 of equipment, office equipment, printing and binding, and
35 marketing, that shall be applied equitably to the programs

LSB 5118HV (3) 84

-25-

pf/jp

25/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 under this section.

2 Sec. 8. 2011 Iowa Acts, chapter 129, section 120, is amended
3 to read as follows:

4 SEC. 120. CHILD SUPPORT RECOVERY. There is appropriated
5 from the general fund of the state to the department of human
6 services for the fiscal year beginning July 1, 2012, and ending
7 June 30, 2013, the following amount, or so much thereof as is
8 necessary, to be used for the purposes designated:

9 For child support recovery, including salaries, support,
10 maintenance, and miscellaneous purposes, and for not more than
11 the following full-time equivalent positions:

12	\$	6,559,627
13		<u>12,549,560</u>
14	FTEs	475.00

15 1. The department shall expend up to ~~\$12,164~~ \$24,329,
16 including federal financial participation, for the fiscal year
17 beginning July 1, 2012, for a child support public awareness
18 campaign. The department and the office of the attorney
19 general shall cooperate in continuation of the campaign. The
20 public awareness campaign shall emphasize, through a variety
21 of media activities, the importance of maximum involvement of
22 both parents in the lives of their children as well as the
23 importance of payment of child support obligations.

24 2. Federal access and visitation grant moneys shall be
25 issued directly to private not-for-profit agencies that provide
26 services designed to increase compliance with the child access
27 provisions of court orders, including but not limited to
28 neutral visitation sites and mediation services.

29 3. The appropriation made to the department for child
30 support recovery may be used throughout the fiscal year in the
31 manner necessary for purposes of cash flow management, and for
32 cash flow management purposes the department may temporarily
33 draw more than the amount appropriated, provided the amount
34 appropriated is not exceeded at the close of the fiscal year.

35 4. With the exception of the funding amount specified, the

LSB 5118HV (3) 84

-26-

pf/jp

26/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 requirements established under 2001 Iowa Acts, chapter 191,
2 section 3, subsection 5, paragraph "c", subparagraph (3), shall
3 be applicable to parental obligation pilot projects for the
4 fiscal year beginning July 1, 2012, and ending June 30, 2013.
5 Notwithstanding 441 IAC 100.8, providing for termination of
6 rules relating to the pilot projects, the rules shall remain
7 in effect until June 30, 2013.

8 5. The amount appropriated in this section reflects a
9 reduction in expenditures for office supplies, purchases
10 of equipment, office equipment, printing and binding, and
11 marketing.

12 MEDICAL ASSISTANCE PROGRAM

13 Sec. 9. 2011 Iowa Acts, chapter 129, section 122, unnumbered
14 paragraph 2, is amended to read as follows:

15 For medical assistance program reimbursement and associated
16 costs as specifically provided in the reimbursement
17 methodologies in effect on June 30, 2012, except as otherwise
18 expressly authorized by law, and consistent with options under
19 federal law and regulations:

20 ~~\$914,993,421~~
21 946,204,576

22 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

23 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
24 subsection 11, paragraph a, unnumbered paragraph 1, is amended
25 to read as follows:

26 Of the funds appropriated in this section, ~~\$7,425,684~~
27 \$7,678,245 is allocated for the state match for a
28 disproportionate share hospital payment of \$19,133,430 to
29 hospitals that meet both of the conditions specified in
30 subparagraphs (1) and (2). In addition, the hospitals that
31 meet the conditions specified shall either certify public
32 expenditures or transfer to the medical assistance program
33 an amount equal to provide the nonfederal share for a
34 disproportionate share hospital payment of \$7,500,000. The
35 hospitals that meet the conditions specified shall receive and

LSB 5118HV (3) 84

-27-

pf/jp

27/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 retain 100 percent of the total disproportionate share hospital
2 payment of \$26,633,430.

3 MEDICAL ASSISTANCE — IOWACARE TRANSFER

4 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
5 subsection 13, is amended to read as follows:

6 13. Of the funds appropriated in this section, up to
7 ~~\$4,480,304~~ \$8,684,329 may be transferred to the IowaCare
8 account created in section 249J.24.

9 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES

10 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
11 subsection 20, paragraphs a and d, are amended to read as
12 follows:

13 a. The department may continue to implement cost
14 containment strategies recommended by the governor, and for
15 the fiscal year beginning July 1, 2011, and shall implement
16 new strategies for the fiscal year beginning July 1, 2012, as
17 specified in this division of this 2012 Act. It is the intent
18 of the general assembly that the cost containment strategies
19 are implemented only to the extent necessary to achieve
20 projected savings. The department may adopt emergency rules
21 for such implementation.

22 d. If the savings to the medical assistance program for
23 the fiscal year beginning July 1, 2012, exceed the cost, the
24 department may transfer any savings generated for the fiscal
25 year due to medical assistance program cost containment efforts
26 initiated pursuant to 2010 Iowa Acts, chapter 1031, Executive
27 Order No. 20, issued December 16, 2009, or cost containment
28 strategies initiated pursuant to this subsection, to the
29 appropriation made in this division of this Act for medical
30 contracts or general administration to defray the increased
31 contract costs associated with implementing such efforts.

32 MEDICAL ASSISTANCE — COST CONTAINMENT PROVISIONS

33 Sec. 13. 2011 Iowa Acts, chapter 129, section 122, is
34 amended by adding the following new subsections:

35 NEW SUBSECTION. 23. The department shall align

LSB 5118HV (3) 84

-28-

pf/jp

28/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 reimbursement for prescription drugs administered by a
2 physician to be equivalent to the reimbursement for the same
3 prescription drug when dispensed by a pharmacy.

4 NEW SUBSECTION. 24. The department shall implement a
5 hospital inpatient reimbursement policy to provide for the
6 combining of an original claim for an inpatient stay with a
7 claim for a subsequent inpatient stay when the patient is
8 admitted within seven days of discharge from the original
9 hospital stay for the same condition.

10 NEW SUBSECTION. 25. The department shall implement a
11 policy to ensure that reimbursement for Medicare Part A and
12 Medicare Part B crossover claims is limited to the Medicaid
13 reimbursement rate.

14 NEW SUBSECTION. 26. The department shall transition
15 payment for and administration of services provided by
16 psychiatric medical institutions for children to the Iowa plan.

17 NEW SUBSECTION. 27. The amount appropriated in this section
18 reflects a reduction in expenditures for office supplies,
19 purchases of equipment, office equipment, printing and binding,
20 and marketing, that shall be applied equitably to the programs
21 under this section.

22 Sec. 14. 2011 Iowa Acts, chapter 129, section 123, is
23 amended to read as follows:

24 SEC. 123. MEDICAL CONTRACTS. There is appropriated from the
25 general fund of the state to the department of human services
26 for the fiscal year beginning July 1, 2012, and ending June 30,
27 2013, the following amount, or so much thereof as is necessary,
28 to be used for the purpose designated:

29 For medical contracts:

30 \$ 5,453,728
31 7,117,155

32 1. The department of inspections and appeals shall
33 provide all state matching funds for survey and certification
34 activities performed by the department of inspections
35 and appeals. The department of human services is solely

LSB 5118HV (3) 84

-29-

pf/jp

29/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 responsible for distributing the federal matching funds for
2 such activities.

3 2. Of the funds appropriated in this section, ~~\$25,000~~
4 \$50,000 shall be used for continuation of home and
5 community-based services waiver quality assurance programs,
6 including the review and streamlining of processes and policies
7 related to oversight and quality management to meet state and
8 federal requirements.

9 3. Of the amount appropriated in this section, up to
10 \$200,000 may be transferred to the appropriation for general
11 administration in this division of this Act to be used for
12 additional full-time equivalent positions in the development of
13 key health initiatives such as cost containment, development
14 and oversight of managed care programs, and development of
15 health strategies targeted toward improved quality and reduced
16 costs in the Medicaid program.

17 4. The amount appropriated in this section reflects a
18 reduction in expenditures for office supplies, purchases
19 of equipment, office equipment, printing and binding, and
20 marketing budgeted for under this subsection.

21 Sec. 15. 2011 Iowa Acts, chapter 129, section 124, is
22 amended to read as follows:

23 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

24 1. There is appropriated from the general fund of the
25 state to the department of human services for the fiscal year
26 beginning July 1, 2012, and ending June 30, 2013, the following
27 amount, or so much thereof as is necessary, to be used for the
28 purpose designated:

29 For the state supplementary assistance program:

30 \$ ~~8,425,373~~
31 15,450,747

32 2. The department shall increase the personal needs
33 allowance for residents of residential care facilities by the
34 same percentage and at the same time as federal supplemental
35 security income and federal social security benefits are

LSB 5118HV (3) 84

-30-

pf/jp

30/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 increased due to a recognized increase in the cost of living.
2 The department may adopt emergency rules to implement this
3 subsection.

4 3. If during the fiscal year beginning July 1, 2012,
5 the department projects that state supplementary assistance
6 expenditures for a calendar year will not meet the federal
7 pass-through requirement specified in Tit. XVI of the federal
8 Social Security Act, section 1618, as codified in 42 U.S.C.
9 § 1382g, the department may take actions including but not
10 limited to increasing the personal needs allowance for
11 residential care facility residents and making programmatic
12 adjustments or upward adjustments of the residential care
13 facility or in-home health-related care reimbursement rates
14 prescribed in this division of this Act to ensure that federal
15 requirements are met. In addition, the department may make
16 other programmatic and rate adjustments necessary to remain
17 within the amount appropriated in this section while ensuring
18 compliance with federal requirements. The department may adopt
19 emergency rules to implement the provisions of this subsection.

20 Sec. 16. 2011 Iowa Acts, chapter 129, section 125, is
21 amended to read as follows:

22 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

23 1. There is appropriated from the general fund of the
24 state to the department of human services for the fiscal year
25 beginning July 1, 2012, and ending June 30, 2013, the following
26 amount, or so much thereof as is necessary, to be used for the
27 purpose designated:

28 For maintenance of the healthy and well kids in Iowa (hawk-i)
29 program pursuant to chapter 514I, including supplemental dental
30 services, for receipt of federal financial participation under
31 Tit. XXI of the federal Social Security Act, which creates the
32 children's health insurance program:

33 \$ ~~16,403,051~~
34 32,677,152

35 ~~2. Of the funds appropriated in this section, \$64,475 is~~

LSB 5118HV (3) 84

-31-

pf/jp

31/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 ~~allocated for continuation of the contract for outreach with~~
2 ~~the department of public health.~~

3 Sec. 17. 2011 Iowa Acts, chapter 129, section 126, is
4 amended to read as follows:

5 SEC. 126. CHILD CARE ASSISTANCE. There is appropriated
6 from the general fund of the state to the department of human
7 services for the fiscal year beginning July 1, 2012, and ending
8 June 30, 2013, the following amount, or so much thereof as is
9 necessary, to be used for the purpose designated:

10 For child care programs:

11 \$ ~~26,618,831~~
12 56,791,816

13 1. Of the funds appropriated in this section, ~~\$25,948,041~~
14 \$51,896,082 shall be used for state child care assistance in
15 accordance with section 237A.13.

16 2. Nothing in this section shall be construed or is
17 intended as or shall imply a grant of entitlement for services
18 to persons who are eligible for assistance due to an income
19 level consistent with the waiting list requirements of section
20 237A.13. Any state obligation to provide services pursuant to
21 this section is limited to the extent of the funds appropriated
22 in this section.

23 3. Of the funds appropriated in this section, ~~\$216,226~~
24 \$432,453 is allocated for the statewide program for child care
25 resource and referral services under section 237A.26. A list
26 of the registered and licensed child care facilities operating
27 in the area served by a child care resource and referral
28 service shall be made available to the families receiving state
29 child care assistance in that area.

30 4. Of the funds appropriated in this section, ~~\$468,487~~
31 \$936,974 is allocated for child care quality improvement
32 initiatives including but not limited to the voluntary quality
33 rating system in accordance with section 237A.30.

34 5. The department may use any of the funds appropriated
35 in this section as a match to obtain federal funds for use in

LSB 5118HV (3) 84

-32-

pf/jp

32/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 expanding child care assistance and related programs. For
2 the purpose of expenditures of state and federal child care
3 funding, funds shall be considered obligated at the time
4 expenditures are projected or are allocated to the department's
5 service areas. Projections shall be based on current and
6 projected caseload growth, current and projected provider
7 rates, staffing requirements for eligibility determination
8 and management of program requirements including data systems
9 management, staffing requirements for administration of the
10 program, contractual and grant obligations and any transfers
11 to other state agencies, and obligations for decategorization
12 or innovation projects.

13 6. A portion of the state match for the federal child care
14 and development block grant shall be provided as necessary to
15 meet federal matching funds requirements through the state
16 general fund appropriation made for child development grants
17 and other programs for at-risk children in section 279.51.

18 7. If a uniform reduction ordered by the governor under
19 section 8.31 or other operation of law, transfer, or federal
20 funding reduction reduces the appropriation made in this
21 section for the fiscal year, the percentage reduction in the
22 amount paid out to or on behalf of the families participating
23 in the state child care assistance program shall be equal to or
24 less than the percentage reduction made for any other purpose
25 payable from the appropriation made in this section and the
26 federal funding relating to it. The percentage reduction to
27 the other allocations made in this section shall be the same as
28 the uniform reduction ordered by the governor or the percentage
29 change of the federal funding reduction, as applicable.

30 If there is an unanticipated increase in federal funding
31 provided for state child care assistance, the entire amount
32 of the increase shall be used for state child care assistance
33 payments. If the appropriations made for purposes of the
34 state child care assistance program for the fiscal year are
35 determined to be insufficient, it is the intent of the general

LSB 5118HV (3) 84

-33-

pf/jp

33/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 assembly to appropriate sufficient funding for the fiscal year
2 in order to avoid establishment of waiting list requirements.

3 8. Notwithstanding section 8.33, moneys appropriated in
4 this section or received from the federal appropriations made
5 for the purposes of this section that remain unencumbered or
6 unobligated at the close of the fiscal year shall not revert
7 to any fund but shall remain available for expenditure for the
8 purposes designated until the close of the succeeding fiscal
9 year.

10 9. The amount appropriated in this section reflects a
11 reduction in expenditures for office supplies, purchases
12 of equipment, office equipment, printing and binding, and
13 marketing, that shall be applied equitably to the programs
14 under this section.

15 Sec. 18. 2011 Iowa Acts, chapter 129, section 127, is
16 amended to read as follows:

17 SEC. 127. JUVENILE INSTITUTIONS. There is appropriated
18 from the general fund of the state to the department of human
19 services for the fiscal year beginning July 1, 2012, and ending
20 June 30, 2013, the following amounts, or so much thereof as is
21 necessary, to be used for the purposes designated:

22 1. For operation of the Iowa juvenile home at Toledo and for
23 salaries, support, maintenance, and miscellaneous purposes, and
24 for not more than the following full-time equivalent positions:
25 \$ 4,129,125
26 8,227,752
27 FTEs 114.00

28 The amount appropriated in this subsection reflects a
29 reduction in expenditures for office supplies, purchases of
30 equipment, office equipment, and printing and binding budgeted
31 for under this subsection.

32 2. For operation of the state training school at Eldora and
33 for salaries, support, maintenance, and miscellaneous purposes,
34 and for not more than the following full-time equivalent
35 positions:

LSB 5118HV (3) 84

-34-

pf/jp

34/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 \$ ~~5,319,338~~
2 10,577,832
3 FTEs 164.30

4 a. Of the funds appropriated in this subsection, ~~\$45,575~~
5 \$91,150 shall be used for distribution to licensed classroom
6 teachers at this and other institutions under the control of
7 the department of human services based upon the average student
8 yearly enrollment at each institution as determined by the
9 department.

10 b. The amount appropriated in this subsection reflects
11 a reduction in expenditures for office supplies, purchases
12 of equipment, office equipment, printing and binding, and
13 marketing budgeted for under this subsection.

14 3. A portion of the moneys appropriated in this section
15 shall be used by the state training school and by the Iowa
16 juvenile home for grants for adolescent pregnancy prevention
17 activities at the institutions in the fiscal year beginning
18 July 1, 2012.

19 Sec. 19. 2011 Iowa Acts, chapter 129, section 128, is
20 amended to read as follows:

21 SEC. 128. CHILD AND FAMILY SERVICES.

22 1. There is appropriated from the general fund of the
23 state to the department of human services for the fiscal year
24 beginning July 1, 2012, and ending June 30, 2013, the following
25 amount, or so much thereof as is necessary, to be used for the
26 purpose designated:

27 For child and family services:

28 \$ ~~41,415,081~~
29 77,084,185

30 2. In order to address a reduction of \$5,200,000 from the
31 amount allocated under the appropriation made for the purposes
32 of this section in prior years for purposes of juvenile
33 delinquent graduated sanction services, up to ~~\$2,600,000~~
34 \$5,200,000 of the amount of federal temporary assistance
35 for needy families block grant funding appropriated in this

LSB 5118HV (3) 84

-35-

pf/jp

35/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 division of this Act for child and family services shall be
2 made available for purposes of juvenile delinquent graduated
3 sanction services.

4 3. The department may transfer funds appropriated in this
5 section as necessary to pay the nonfederal costs of services
6 reimbursed under the medical assistance program, state child
7 care assistance program, or the family investment program which
8 are provided to children who would otherwise receive services
9 paid under the appropriation in this section. The department
10 may transfer funds appropriated in this section to the
11 appropriations made in this division of this Act for general
12 administration and for field operations for resources necessary
13 to implement and operate the services funded in this section.

14 4. a. Of the funds appropriated in this section, up
15 to ~~\$15,084,564~~ \$30,169,129 is allocated as the statewide
16 expenditure target under section 232.143 for group foster care
17 maintenance and services. If the department projects that such
18 expenditures for the fiscal year will be less than the target
19 amount allocated in this lettered paragraph, the department may
20 reallocate the excess to provide additional funding for shelter
21 care or the child welfare emergency services addressed with the
22 allocation for shelter care.

23 b. If at any time after September 30, 2012, annualization
24 of a service area's current expenditures indicates a service
25 area is at risk of exceeding its group foster care expenditure
26 target under section 232.143 by more than 5 percent, the
27 department and juvenile court services shall examine all
28 group foster care placements in that service area in order to
29 identify those which might be appropriate for termination.
30 In addition, any aftercare services believed to be needed
31 for the children whose placements may be terminated shall be
32 identified. The department and juvenile court services shall
33 initiate action to set dispositional review hearings for the
34 placements identified. In such a dispositional review hearing,
35 the juvenile court shall determine whether needed aftercare

LSB 5118HV (3) 84

-36-

pf/jp

36/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 services are available and whether termination of the placement
2 is in the best interest of the child and the community.

3 5. In accordance with the provisions of section 232.188,
4 the department shall continue the child welfare and juvenile
5 justice funding initiative during fiscal year 2012-2013. Of
6 the funds appropriated in this section, ~~\$858,876~~ \$1,717,753
7 is allocated specifically for expenditure for fiscal year
8 2012-2013 through the decategorization service funding pools
9 and governance boards established pursuant to section 232.188.

10 6. A portion of the funds appropriated in this section
11 may be used for emergency family assistance to provide other
12 resources required for a family participating in a family
13 preservation or reunification project or successor project to
14 stay together or to be reunified.

15 7. Notwithstanding section 234.35 or any other provision
16 of law to the contrary, state funding for shelter care and
17 the child welfare emergency services contracting implemented
18 to provide for or prevent the need for shelter care shall be
19 limited to ~~\$3,585,058~~ \$6,470,116. The department may continue
20 or execute contracts that result from the department's request
21 for proposal, bid number ACFS-11-114, to provide the range of
22 child welfare emergency services described in the request for
23 proposals, and any subsequent amendments to the request for
24 proposals.

25 8. Federal funds received by the state during the fiscal
26 year beginning July 1, 2012, as the result of the expenditure
27 of state funds appropriated during a previous state fiscal
28 year for a service or activity funded under this section are
29 appropriated to the department to be used as additional funding
30 for services and purposes provided for under this section.
31 Notwithstanding section 8.33, moneys received in accordance
32 with this subsection that remain unencumbered or unobligated at
33 the close of the fiscal year shall not revert to any fund but
34 shall remain available for the purposes designated until the
35 close of the succeeding fiscal year.

LSB 5118HV (3) 84

-37-

pf/jp

37/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 9. Of the funds appropriated in this section, at least
2 ~~\$1,848,142~~ \$3,696,285 shall be used for protective child care
3 assistance.

4 10. a. Of the funds appropriated in this section, up to
5 ~~\$1,031,244~~ \$1,900,000 is allocated for the payment of the
6 expenses of court-ordered services provided to juveniles who
7 are under the supervision of juvenile court services, which
8 expenses are a charge upon the state pursuant to section
9 232.141, subsection 4. Of the amount allocated in this
10 lettered paragraph, up to ~~\$778,143~~ \$1,556,287 shall be made
11 available to provide school-based supervision of children
12 adjudicated under chapter 232, of which not more than ~~\$7,500~~
13 \$15,000 may be used for the purpose of training. A portion of
14 the cost of each school-based liaison officer shall be paid by
15 the school district or other funding source as approved by the
16 chief juvenile court officer.

17 b. Of the funds appropriated in this section, up to ~~\$374,492~~
18 \$748,985 is allocated for the payment of the expenses of
19 court-ordered services provided to children who are under the
20 supervision of the department, which expenses are a charge upon
21 the state pursuant to section 232.141, subsection 4.

22 c. Notwithstanding section 232.141 or any other provision
23 of law to the contrary, the amounts allocated in this
24 subsection shall be distributed to the judicial districts
25 as determined by the state court administrator and to the
26 department's service areas as determined by the administrator
27 of the department's division of child and family services. The
28 state court administrator and the division administrator shall
29 make the determination of the distribution amounts on or before
30 June 15, 2012.

31 d. Notwithstanding chapter 232 or any other provision of
32 law to the contrary, a district or juvenile court shall not
33 order any service which is a charge upon the state pursuant
34 to section 232.141 if there are insufficient court-ordered
35 services funds available in the district court or departmental

LSB 5118HV (3) 84

-38-

pf/jp

38/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 service area distribution amounts to pay for the service. The
2 chief juvenile court officer and the departmental service area
3 manager shall encourage use of the funds allocated in this
4 subsection such that there are sufficient funds to pay for
5 all court-related services during the entire year. The chief
6 juvenile court officers and departmental service area managers
7 shall attempt to anticipate potential surpluses and shortfalls
8 in the distribution amounts and shall cooperatively request the
9 state court administrator or division administrator to transfer
10 funds between the judicial districts' or departmental service
11 areas' distribution amounts as prudent.

12 e. Notwithstanding any provision of law to the contrary,
13 a district or juvenile court shall not order a county to pay
14 for any service provided to a juvenile pursuant to an order
15 entered under chapter 232 which is a charge upon the state
16 under section 232.141, subsection 4.

17 f. Of the funds allocated in this subsection, not more
18 than ~~\$41,500~~ \$83,000 may be used by the judicial branch for
19 administration of the requirements under this subsection.

20 g. Of the funds allocated in this subsection, ~~\$8,500~~ \$17,000
21 shall be used by the department of human services to support
22 the interstate commission for juveniles in accordance with
23 the interstate compact for juveniles as provided in section
24 232.173.

25 11. Of the funds appropriated in this section, ~~\$2,961,301~~
26 \$5,922,602 is allocated for juvenile delinquent graduated
27 sanctions services. Any state funds saved as a result of
28 efforts by juvenile court services to earn federal Tit. IV-E
29 match for juvenile court services administration may be used
30 for the juvenile delinquent graduated sanctions services.

31 12. Of the funds appropriated in this section, ~~\$494,142~~
32 \$988,285 shall be transferred to the department of public
33 health to be used for the child protection center grant program
34 in accordance with section 135.118.

35 13. If the department receives federal approval to

LSB 5118HV (3) 84

-39-

pf/jp

39/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 implement a waiver under Tit. IV-E of the federal Social
2 Security Act to enable providers to serve children who remain
3 in the children's families and communities, for purposes of
4 eligibility under the medical assistance program, children who
5 participate in the waiver shall be considered to be placed in
6 foster care.

7 14. Of the funds appropriated in this section, ~~\$1,534,916~~
8 \$3,069,832 is allocated for the preparation for adult living
9 program pursuant to section 234.46.

10 15. Of the funds appropriated in this section, ~~\$260,075~~
11 \$520,150 shall be used for juvenile drug courts. The amount
12 allocated in this subsection shall be distributed as follows:

13 To the judicial branch for salaries to assist with the
14 operation of juvenile drug court programs operated in the
15 following jurisdictions:

16 a. Marshall county:

17 \$ ~~31,354~~
18 62,708

19 b. Woodbury county:

20 \$ ~~62,841~~
21 125,682

22 c. Polk county:

23 \$ ~~97,946~~
24 195,892

25 d. The third judicial district:

26 \$ ~~33,967~~
27 67,934

28 e. The eighth judicial district:

29 \$ ~~33,967~~
30 67,934

31 16. Of the funds appropriated in this section, ~~\$113,668~~
32 \$227,337 shall be used for the public purpose of providing a
33 grant to a nonprofit human services organization providing
34 services to individuals and families in multiple locations in
35 southwest Iowa and Nebraska for support of a project providing

LSB 5118HV (3) 84

-40-

pf/jp

40/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 immediate, sensitive support and forensic interviews, medical
2 exams, needs assessments, and referrals for victims of child
3 abuse and their nonoffending family members.

4 17. Of the funds appropriated in this section, ~~\$62,795~~
5 \$125,590 is allocated for the ~~elevate~~ foster care youth council
6 approach of providing a support network to children placed in
7 foster care.

8 18. Of the funds appropriated in this section, ~~\$101,000~~
9 \$202,000 is allocated for use pursuant to section 235A.1 for
10 continuation of the initiative to address child sexual abuse
11 implemented pursuant to 2007 Iowa Acts, chapter 218, section
12 18, subsection 21.

13 19. Of the funds appropriated in this section, ~~\$315,120~~
14 \$630,240 is allocated for the community partnership for child
15 protection sites.

16 20. Of the funds appropriated in this section, ~~\$185,625~~
17 \$371,250 is allocated for the department's minority youth and
18 family projects under the redesign of the child welfare system.

19 21. Of the funds appropriated in this section, ~~\$600,247~~
20 \$1,200,495 is allocated for funding of the state match for
21 the federal substance abuse and mental health services
22 administration (SAMHSA) system of care grant.

23 22. Of the funds appropriated in this section, at least
24 ~~\$73,579~~ \$147,158 shall be used for the child welfare training
25 academy.

26 23. Of the funds appropriated in this section, ~~\$12,500~~
27 \$25,000 shall be used for the public purpose of continuation
28 of a grant to a child welfare services provider headquartered
29 in a county with a population between 205,000 and 215,000 in
30 the latest certified federal census that provides multiple
31 services including but not limited to a psychiatric medical
32 institution for children, shelter, residential treatment, after
33 school programs, school-based programming, and an Asperger's
34 syndrome program, to be used for support services for children
35 with autism spectrum disorder and their families.

LSB 5118HV (3) 84

-41-

pf/jp

41/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 24. Of the funds appropriated in this section ~~\$125,000~~
2 \$250,000 shall be used for continuation of the central Iowa
3 system of care program grant through June 30, 2013.

4 25. Of the funds appropriated in this section, ~~\$80,000~~
5 \$160,000 shall be used for the public purpose of the
6 continuation of a system of care grant implemented in Cerro
7 Gordo and Linn counties in accordance with this Act in FY
8 2011-2012.

9 26. The amount appropriated in this section reflects a
10 reduction in expenditures for office supplies, purchases
11 of equipment, office equipment, printing and binding, and
12 marketing, that shall be applied equitably to the programs
13 under this subsection.

14 Sec. 20. 2011 Iowa Acts, chapter 129, is amended by adding
15 the following new section:

16 NEW SECTION. SEC. 128A. CHILDREN AND YOUTH PROGRAMS. There
17 is appropriated from the general fund of the state to the
18 department of human services for the fiscal year beginning July
19 1, 2011, and ending June 30, 2012, the following amounts, or
20 so much thereof as is necessary, to be used for the purposes
21 designated:

22 1. For the community circle of care collaboration for
23 children and youth in northeast Iowa, formerly known as the
24 federal substance abuse and mental health administration
25 (SAMHSA) system of care grant:
26 \$ 236,100

27 2. For the central Iowa system of care program grant for
28 children and youth:
29 \$ 77,947

30 Sec. 21. 2011 Iowa Acts, chapter 129, section 129, is
31 amended to read as follows:

32 SEC. 129. ADOPTION SUBSIDY.

33 1. There is appropriated from the general fund of the
34 state to the department of human services for the fiscal year
35 beginning July 1, 2012, and ending June 30, 2013, the following

LSB 5118HV (3) 84

-42-

pf/jp

42/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 amount, or so much thereof as is necessary, to be used for the
2 purpose designated:

3 For adoption subsidy payments and services:

4 \$ ~~16,633,295~~
5 33,080,597

6 2. The department may transfer funds appropriated in
7 this section to the appropriation made in this division of
8 this Act for general administration for costs paid from the
9 appropriation relating to adoption subsidy.

10 3. Federal funds received by the state during the
11 fiscal year beginning July 1, 2012, as the result of the
12 expenditure of state funds during a previous state fiscal
13 year for a service or activity funded under this section are
14 appropriated to the department to be used as additional funding
15 for the services and activities funded under this section.
16 Notwithstanding section 8.33, moneys received in accordance
17 with this subsection that remain unencumbered or unobligated
18 at the close of the fiscal year shall not revert to any fund
19 but shall remain available for expenditure for the purposes
20 designated until the close of the succeeding fiscal year.

21 Sec. 22. 2011 Iowa Acts, chapter 129, section 131, is
22 amended to read as follows:

23 SEC. 131. FAMILY SUPPORT SUBSIDY PROGRAM.

24 1. There is appropriated from the general fund of the
25 state to the department of human services for the fiscal year
26 beginning July 1, 2012, and ending June 30, 2013, the following
27 amount, or so much thereof as is necessary, to be used for the
28 purpose designated:

29 For the family support subsidy program subject to the
30 enrollment restrictions in section 225C.37, subsection 3:

31 \$ ~~583,999~~
32 1,096,784

33 2. The department shall use at least ~~\$192,750~~ \$385,500
34 of the moneys appropriated in this section for the family
35 support center component of the comprehensive family support

LSB 5118HV (3) 84

-43-

pf/jp

43/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 program under section 225C.47. Not more than ~~\$12,500~~ \$25,000
2 of the amount allocated in this subsection shall be used for
3 administrative costs.

4 3. If at any time during the fiscal year, the amount of
5 funding available for the family support subsidy program
6 is reduced from the amount initially used to establish the
7 figure for the number of family members for whom a subsidy
8 is to be provided at any one time during the fiscal year,
9 notwithstanding section 225C.38, subsection 2, the department
10 shall revise the figure as necessary to conform to the amount
11 of funding available.

12 Sec. 23. 2011 Iowa Acts, chapter 129, section 132, is
13 amended to read as follows:

14 SEC. 132. CONNER DECREE. There is appropriated from the
15 general fund of the state to the department of human services
16 for the fiscal year beginning July 1, 2012, and ending June 30,
17 2013, the following amount, or so much thereof as is necessary,
18 to be used for the purpose designated:

19 For building community capacity through the coordination
20 and provision of training opportunities in accordance with the
21 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
22 Iowa, July 14, 1994):

23	\$	16,811
24		<u>33,622</u>

25 Sec. 24. 2011 Iowa Acts, chapter 129, section 133, is
26 amended to read as follows:

27 SEC. 133. MENTAL HEALTH INSTITUTES. There is appropriated
28 from the general fund of the state to the department of human
29 services for the fiscal year beginning July 1, 2012, and ending
30 June 30, 2013, the following amounts, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 1. For the state mental health institute at Cherokee for
33 salaries, support, maintenance, and miscellaneous purposes, and
34 for not more than the following full-time equivalent positions:
35

	\$	2,938,654
--	----	----------------------

LSB 5118HV (3) 84

-44-

pf/jp

44/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 5,403,188
2 FTEs 168.50
3 The amount appropriated in this subsection reflects a
4 reduction in expenditures for office supplies, purchases
5 of equipment, office equipment, printing and binding, and
6 marketing under the purview of the mental health institute.
7 2. For the state mental health institute at Clarinda for
8 salaries, support, maintenance, and miscellaneous purposes, and
9 for not more than the following full-time equivalent positions:
10 \$ 3,205,867
11 6,391,085
12 FTEs 86.10
13 The amount appropriated in this subsection reflects a
14 reduction in expenditures for office supplies, purchases
15 of equipment, office equipment, printing and binding, and
16 marketing under the purview of the mental health institute.
17 3. For the state mental health institute at Independence for
18 salaries, support, maintenance, and miscellaneous purposes, and
19 for not more than the following full-time equivalent positions:
20 \$ 5,137,842
21 9,609,993
22 FTEs 233.00
23 The amount appropriated in this subsection reflects a
24 reduction of \$65,692 in expenditures for office supplies,
25 purchases of equipment, office equipment, printing and
26 binding, and marketing, under the purview of the mental health
27 institute.
28 4. For the state mental health institute at Mount Pleasant
29 for salaries, support, maintenance, and miscellaneous purposes,
30 and for not more than the following full-time equivalent
31 positions:
32 \$ 472,161
33 885,459
34 FTEs 97.72
35 The amount appropriated in this subsection reflects a

LSB 5118HV (3) 84

-45-

pf/jp

45/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 reduction in expenditures for office supplies, purchases
2 of equipment, office equipment, printing and binding, and
3 marketing, under the purview of the mental health institute.

4 Sec. 25. 2011 Iowa Acts, chapter 129, section 134, is
5 amended to read as follows:

6 SEC. 134. STATE RESOURCE CENTERS.

7 1. There is appropriated from the general fund of the
8 state to the department of human services for the fiscal year
9 beginning July 1, 2012, and ending June 30, 2013, the following
10 amounts, or so much thereof as is necessary, to be used for the
11 purposes designated:

12 a. For the state resource center at Glenwood for salaries,
13 support, maintenance, and miscellaneous purposes:

14 \$ 9,253,900
15 18,281,340

16 The amount appropriated in this paragraph "a" reflects
17 a reduction in expenditures for office supplies, purchases
18 of equipment, office equipment, printing and binding, and
19 marketing, under the purview of the resource center.

20 b. For the state resource center at Woodward for salaries,
21 support, maintenance, and miscellaneous purposes:

22 \$ 6,392,829
23 12,642,680

24 The amount appropriated in this paragraph "b" reflects
25 a reduction in expenditures for office supplies, purchases
26 of equipment, office equipment, printing and binding, and
27 marketing, under the purview of the resource center.

28 2. The department may continue to bill for state resource
29 center services utilizing a scope of services approach used for
30 private providers of ICFMR services, in a manner which does not
31 shift costs between the medical assistance program, counties,
32 or other sources of funding for the state resource centers.

33 3. The state resource centers may expand the time-limited
34 assessment and respite services during the fiscal year.

35 4. If the department's administration and the department

LSB 5118HV (3) 84

-46-

pf/jp

46/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 of management concur with a finding by a state resource
2 center's superintendent that projected revenues can reasonably
3 be expected to pay the salary and support costs for a new
4 employee position, or that such costs for adding a particular
5 number of new positions for the fiscal year would be less
6 than the overtime costs if new positions would not be added,
7 the superintendent may add the new position or positions. If
8 the vacant positions available to a resource center do not
9 include the position classification desired to be filled, the
10 state resource center's superintendent may reclassify any
11 vacant position as necessary to fill the desired position. The
12 superintendents of the state resource centers may, by mutual
13 agreement, pool vacant positions and position classifications
14 during the course of the fiscal year in order to assist one
15 another in filling necessary positions.

16 5. If existing capacity limitations are reached in
17 operating units, a waiting list is in effect for a service or
18 a special need for which a payment source or other funding
19 is available for the service or to address the special need,
20 and facilities for the service or to address the special need
21 can be provided within the available payment source or other
22 funding, the superintendent of a state resource center may
23 authorize opening not more than two units or other facilities
24 and begin implementing the service or addressing the special
25 need during fiscal year 2012-2013.

26 Sec. 26. 2011 Iowa Acts, chapter 129, section 135, is
27 amended to read as follows:

28 SEC. 135. MI/MR/DD STATE CASES.

29 1. There is appropriated from the general fund of the
30 state to the department of human services for the fiscal year
31 beginning July 1, 2012, and ending June 30, 2013, the following
32 amount, or so much thereof as is necessary, to be used for the
33 purpose designated:

34 For distribution to counties for state case services
35 for persons with mental illness, mental retardation, and

LSB 5118HV (3) 84

-47-

pf/jp

47/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 developmental disabilities in accordance with section 331.440:
2 \$ ~~6,084,741~~
3 11,150,820

4 2. For the fiscal year beginning July 1, 2012, and ending
5 June 30, 2013, ~~\$100,000~~ \$200,000 is allocated for state case
6 services from the amounts appropriated from the fund created
7 in section 8.41 to the department of human services from the
8 funds received from the federal government under 42 U.S.C. ch.
9 6A, subch. XVII, relating to the community mental health center
10 block grant, for the federal fiscal years beginning October
11 1, 2010, and ending September 30, 2011, beginning October 1,
12 2011, and ending September 30, 2012, and beginning October 1,
13 2012, and ending September 30, 2013. The allocation made in
14 this subsection shall be made prior to any other distribution
15 allocation of the appropriated federal funds.

16 3. Notwithstanding section 8.33, moneys appropriated in
17 this section that remain unencumbered or unobligated at the
18 close of the fiscal year shall not revert but shall remain
19 available for expenditure for the purposes designated until the
20 close of the succeeding fiscal year.

21 Sec. 27. 2011 Iowa Acts, chapter 129, section 137, is
22 amended to read as follows:

23 SEC. 137. SEXUALLY VIOLENT PREDATORS.

24 1. There is appropriated from the general fund of the
25 state to the department of human services for the fiscal year
26 beginning July 1, 2012, and ending June 30, 2013, the following
27 amount, or so much thereof as is necessary, to be used for the
28 purpose designated:

29 For costs associated with the commitment and treatment of
30 sexually violent predators in the unit located at the state
31 mental health institute at Cherokee, including costs of legal
32 services and other associated costs, including salaries,
33 support, maintenance, and miscellaneous purposes, and for not
34 more than the following full-time equivalent positions:

35 \$ ~~3,775,363~~

LSB 5118HV (3) 84

-48-

pf/jp

48/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 8,399,686
2 FTEs 89.50
3 The amount appropriated in this subsection reflects a
4 reduction in expenditures for office supplies, purchases
5 of equipment, office equipment, printing and binding, and
6 marketing, under the purview of the unit.
7 2. Unless specifically prohibited by law, if the amount
8 charged provides for recoupment of at least the entire amount
9 of direct and indirect costs, the department of human services
10 may contract with other states to provide care and treatment
11 of persons placed by the other states at the unit for sexually
12 violent predators at Cherokee. The moneys received under
13 such a contract shall be considered to be repayment receipts
14 and used for the purposes of the appropriation made in this
15 section.
16 Sec. 28. 2011 Iowa Acts, chapter 129, section 138, is
17 amended to read as follows:
18 SEC. 138. FIELD OPERATIONS. There is appropriated from the
19 general fund of the state to the department of human services
20 for the fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amount, or so much thereof as is necessary,
22 to be used for the purposes designated:
23 For field operations, including salaries, support,
24 maintenance, and miscellaneous purposes, and for not more than
25 the following full-time equivalent positions:
26 \$ 27,394,960
27 53,852,947
28 FTEs 1,781.00
29 Priority in filling full-time equivalent positions shall be
30 given to those positions related to child protection services
31 and eligibility determination for low-income families.
32 Notwithstanding section 8.33, moneys appropriated in this
33 section that remain unencumbered or unobligated at the close of
34 the fiscal year shall not revert but shall remain available for
35 expenditure for the purposes designated until the close of the

LSB 5118HV (3) 84

-49-

pf/jp

49/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 succeeding fiscal year.

2 The amount appropriated in this section reflects a reduction
3 in expenditures for office supplies, purchases of equipment,
4 office equipment, printing and binding, and marketing, under
5 the purview of the department.

6 Sec. 29. 2011 Iowa Acts, chapter 129, section 140, is
7 amended to read as follows:

8 SEC. 140. VOLUNTEERS. There is appropriated from the
9 general fund of the state to the department of human services
10 for the fiscal year beginning July 1, 2012, and ending June 30,
11 2013, the following amount, or so much thereof as is necessary,
12 to be used for the purpose designated:

13 For development and coordination of volunteer services:

14	\$	42,330
15		<u>84,660</u>

16 PROVIDER REIMBURSEMENT — NURSING FACILITIES

17 Sec. 30. 2011 Iowa Acts, chapter 129, section 141,
18 subsection 1, paragraph a, subparagraph (1), is amended to read
19 as follows:

20 (1) For the fiscal year beginning July 1, 2012, the total
21 state funding amount for the nursing facility budget shall not
22 exceed ~~\$225,457,724~~ \$237,226,901.

23 PROVIDER REIMBURSEMENT — PHARMACY, PMIC, AND HCBS WAIVER

24 Sec. 31. 2011 Iowa Acts, chapter 129, subsection 1,
25 paragraphs b, i, and q, are amended to read as follows:

26 b. (1) For the fiscal year beginning July 1, 2012, the
27 department shall reimburse pharmacy dispensing fees using a
28 single rate of ~~\$4.34~~ \$11.10 per prescription or the pharmacy's
29 usual and customary fee, whichever is lower. ~~However,~~
30 ~~the department shall adjust the dispensing fee specified~~
31 ~~in this paragraph to distribute an additional \$2,981,980~~
32 ~~in reimbursements for pharmacy dispensing fees under this~~
33 ~~paragraph for the fiscal year.~~

34 (2) The department shall implement an average acquisition
35 cost reimbursement methodology for all drugs covered under the

LSB 5118HV (3) 84

-50-

pf/jp

50/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 medical assistance program. The methodology shall utilize a
2 survey of pharmacy invoices in determining the reimbursement.
3 Pharmacies and providers that are enrolled in the medical
4 assistance program shall make available drug acquisition cost
5 information, product availability information, and other
6 information deemed necessary by the department to assist the
7 department in monitoring and revising reimbursement rates and
8 for efficient operation of the pharmacy benefit.

9 (a) A pharmacy or provider shall produce and submit the
10 requested information in the manner and format requested by the
11 department or its designee at no cost to the department or its
12 designee.

13 (b) A pharmacy or provider shall submit information to the
14 department or its designee within the time frame indicated
15 following receipt of a request for information unless the
16 department or its designee grants an extension upon written
17 request of the pharmacy or provider.

18 i. (1) For the fiscal year beginning July 1, 2012,
19 state-owned psychiatric medical institutions for children shall
20 receive cost-based reimbursement for 100 percent of the actual
21 and allowable costs for the provision of services to recipients
22 of medical assistance.

23 (2) For the nonstate-owned psychiatric medical institutions
24 for children, reimbursement rates shall be based on the
25 reimbursement methodology developed by the department as
26 required for federal compliance.

27 (3) As a condition of participation in the medical
28 assistance program, enrolled providers shall accept the medical
29 assistance reimbursement rate for any covered goods or services
30 provided to recipients of medical assistance who are children
31 under the custody of a psychiatric medical institution for
32 children.

33 q. For the fiscal year beginning July 1, 2012, the
34 ~~department shall adjust the rates in effect on June 30, 2012,~~
35 reimbursement rate for providers of home and community-based

LSB 5118HV (3) 84

-51-

pf/jp

51/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 services waiver services to ~~distribute an additional \$1,500,000~~
2 ~~in reimbursements to such providers for the fiscal year shall~~
3 remain at the rate in effect on June 30, 2012.

4 DIVISION V

5 PHARMACEUTICAL SETTLEMENT ACCOUNT,
6 IOWACARE ACCOUNT, NONPARTICIPATING PROVIDER
7 REIMBURSEMENT FUND, HEALTH CARE TRANSFORMATION ACCOUNT,
8 MEDICAID FRAUD FUND, QUALITY ASSURANCE TRUST FUND,
9 AND HOSPITAL HEALTH CARE ACCESS TRUST FUND

10 Sec. 32. 2011 Iowa Acts, chapter 129, section 145, is
11 amended to read as follows:

12 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
13 appropriated from the pharmaceutical settlement account created
14 in section 249A.33 to the department of human services for the
15 fiscal year beginning July 1, 2012, and ending June 30, 2013,
16 the following amount, or so much thereof as is necessary, to be
17 used for the purpose designated:

18 Notwithstanding any provision of law to the contrary, to
19 supplement the appropriations made in this Act for medical
20 contracts under the medical assistance program for the fiscal
21 year beginning July 1, 2012, and ending June 30, 2013:

22 \$ 2,716,807

23 APPROPRIATIONS FROM IOWACARE ACCOUNT

24 Sec. 33. 2011 Iowa Acts, chapter 129, section 146,
25 subsections 2, 4, and 5, are amended to read as follows:

26 2. There is appropriated from the IowaCare account
27 created in section 249J.24 to the state board of regents for
28 distribution to the university of Iowa hospitals and clinics
29 for the fiscal year beginning July 1, 2012, and ending June 30,
30 2013, the following amount, or so much thereof as is necessary,
31 to be used for the purposes designated:

32 For salaries, support, maintenance, equipment, and
33 miscellaneous purposes, for the provision of medical and
34 surgical treatment of indigent patients, for provision of
35 services to members of the expansion population pursuant to

LSB 5118HV (3) 84

-52-

pf/jp

52/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 chapter 249J, and for medical education:

2 \$ ~~44,226,279~~

3 45,654,133

4 Notwithstanding any provision of law to the contrary, the
5 amount appropriated in this subsection shall be distributed
6 based on claims submitted, adjudicated, and paid by the Iowa
7 Medicaid enterprise.

8 4. There is appropriated from the IowaCare account created
9 in section 249J.24 to the department of human services for the
10 fiscal year beginning July 1, 2012, and ending June 30, 2013,
11 the following amount, or so much thereof as is necessary, to be
12 used for the purposes designated:

13 For distribution to a publicly owned acute care teaching
14 hospital located in a county with a population over 350,000 for
15 the provision of medical and surgical treatment of indigent
16 patients, for provision of services to members of the expansion
17 population pursuant to chapter 249J, and for medical education:

18 \$ ~~65,000,000~~

19 69,000,000

20 a. Notwithstanding any provision of law to the contrary,
21 the amount appropriated in this subsection shall be distributed
22 based on claims submitted, adjudicated, and paid by the Iowa
23 Medicaid enterprise plus a monthly disproportionate share
24 hospital payment. Any amount appropriated in this subsection
25 in excess of \$60,000,000 shall be distributed only if the sum
26 of the expansion population claims adjudicated and paid by the
27 Iowa Medicaid enterprise plus the estimated disproportionate
28 share hospital payments exceeds \$60,000,000. The amount paid
29 in excess of \$60,000,000 shall not adjust the original monthly
30 payment amount but shall be distributed monthly based on actual
31 claims adjudicated and paid by the Iowa Medicaid enterprise
32 plus the estimated disproportionate share hospital amount. Any
33 amount appropriated in this subsection in excess of \$60,000,000
34 shall be allocated only if federal funds are available to match
35 the amount allocated. Pursuant to paragraph "b", of the amount

LSB 5118HV (3) 84

-53-

pf/jp

53/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 appropriated in this subsection, not more than \$4,000,000
2 shall be distributed for prescription drugs, ~~and~~ podiatry, and
3 optometric services.

4 b. Notwithstanding any provision of law to the contrary, the
5 hospital identified in this subsection, shall be reimbursed for
6 outpatient prescription drugs and podiatry services provided to
7 members of the expansion population pursuant to all applicable
8 medical assistance program rules, in an amount not to exceed
9 \$4,000,000.

10 c. Notwithstanding the total amount of proceeds distributed
11 pursuant to section 249J.24, subsection 4, paragraph "a",
12 unnumbered paragraph 1, for the fiscal year beginning July
13 1, 2012, and ending June 30, 2013, the county treasurer of a
14 county with a population of over 350,000 in which a publicly
15 owned acute care teaching hospital is located shall distribute
16 the proceeds collected pursuant to section 347.7 in a total
17 amount of \$38,000,000, which would otherwise be distributed to
18 the county hospital, to the treasurer of state for deposit in
19 the IowaCare account.

20 d. (1) Notwithstanding the amount collected and
21 distributed for deposit in the IowaCare account pursuant to
22 section 249J.24, subsection 4, paragraph "a", subparagraph
23 (1), the first \$19,000,000 in proceeds collected pursuant to
24 section 347.7 between July 1, 2012, and December 31, 2012,
25 shall be distributed to the treasurer of state for deposit in
26 the IowaCare account and collections during this time period
27 in excess of \$19,000,000 shall be distributed to the acute
28 care teaching hospital identified in this subsection. Of the
29 collections in excess of the \$19,000,000 received by the acute
30 care teaching hospital under this subparagraph (1), \$2,000,000
31 shall be distributed by the acute care teaching hospital to the
32 treasurer of state for deposit in the IowaCare account in the
33 month of January 2013, following the July 1 through December
34 31, 2012, period.

35 (2) Notwithstanding the amount collected and distributed

LSB 5118HV (3) 84

-54-

pf/jp

54/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 for deposit in the IowaCare account pursuant to section
2 249J.24, subsection 4, paragraph "a", subparagraph (2),
3 the first \$19,000,000 in collections pursuant to section
4 347.7 between January 1, 2013, and June 30, 2013, shall be
5 distributed to the treasurer of state for deposit in the
6 IowaCare account and collections during this time period in
7 excess of \$19,000,000 shall be distributed to the acute care
8 teaching hospital identified in this subsection. Of the
9 collections in excess of the \$19,000,000 received by the acute
10 care teaching hospital under this subparagraph (2), \$2,000,000
11 shall be distributed by the acute care teaching hospital to the
12 treasurer of state for deposit in the IowaCare account in the
13 month of July 2013, following the January 1 through June 30,
14 2013, period.

15 5. There is appropriated from the IowaCare account created
16 in section 249J.24 to the department of human services for the
17 fiscal year beginning July 1, 2012, and ending June 30, 2013,
18 the following amount, or so much thereof as is necessary to be
19 used for the purpose designated:

20 For payment to the regional provider network specified
21 by the department pursuant to section 249J.7 for provision
22 of covered services to members of the expansion population
23 pursuant to chapter 249J:
24 \$ ~~3,472,176~~
25 4,986,366

26 Notwithstanding any provision of law to the contrary, the
27 amount appropriated in this subsection shall be distributed
28 based on claims submitted, adjudicated, and paid by the Iowa
29 Medicaid enterprise. Once the entire amount appropriated in
30 this subsection has been distributed, claims shall continue to
31 be submitted and adjudicated by the Iowa Medicaid enterprise;
32 however, no payment shall be made based upon such claims.

33 Sec. 34. 2011 Iowa Acts, chapter 129, section 148, is
34 amended to read as follows:

35 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE

LSB 5118HV (3) 84

-55-

pf/jp

55/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.
2 Notwithstanding any provision to the contrary, there is
3 appropriated from the account for health care transformation
4 created in section 249J.23 to the department of human services
5 for the fiscal year beginning July 1, 2012, and ending June
6 30, 2013, the following amounts, or so much thereof as is
7 necessary, to be used for the purposes designated:
8 1. For the provision of an IowaCare nurse helpline for the
9 expansion population as provided in section 249J.6:
10 \$ 50,000
11 100,000
12 2. For other health promotion partnership activities
13 pursuant to section 249J.14:
14 \$ 300,000
15 3. For the costs related to audits, performance
16 evaluations, and studies required pursuant to chapter 249J:
17 \$ 62,500
18 125,000
19 4. For administrative costs associated with chapter 249J:
20 \$ 566,206
21 1,132,412
22 5. For planning and development, in cooperation with the
23 department of public health, of a phased-in program to provide
24 a dental home for children in accordance with section 249J.14:
25 \$ 500,000
26 1,000,000
27 6. For continuation of the establishment of the tuition
28 assistance for individuals serving individuals with
29 disabilities pilot program, as enacted in 2008 Iowa Acts,
30 chapter 1187, section 130:
31 \$ 25,000
32 50,000
33 7. For medical contracts:
34 \$ 1,000,000
35 2,400,000

LSB 5118HV (3) 84

-56-

pf/jp

56/64

Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

8. For payment to the publicly owned acute care teaching
hospital located in a county with a population of over 350,000
that is a participating provider pursuant to chapter 249J:
..... \$ 145,000
290,000

6 Disbursements under this subsection shall be made monthly.
7 The hospital shall submit a report following the close of the
8 fiscal year regarding use of the funds appropriated in this
9 subsection to the persons specified in this Act to receive
10 reports.

11 9. ~~For transfer to the department of public health to be~~
12 ~~used for the costs of medical home system advisory council~~
13 ~~established pursuant to section 135.159:~~
14 \$ 116,679

15	10. For continued implementation of a uniform cost report:	
16	.....	\$ 75,000
17		150,000

18	11. For continued implementation of an electronic medical	
19	records system:	
20	.....	\$ 50,000
21		100,000

22 Notwithstanding section 8.33, funds allocated in this
23 subsection that remain unencumbered or unobligated at the close
24 of the fiscal year shall not revert but shall remain available
25 in succeeding fiscal years to be used for the purposes
26 designated.

27 ~~12. For transfer to the department of public health to~~
28 ~~support the department's activities relating to health and~~
29 ~~long-term care access as specified pursuant to chapter 135,~~
30 ~~division XXIV:~~
31 \$ 67,107

32 13. ~~For continuation of an accountable care organization~~
33 ~~pilot project:~~
34 \$ 50,000

35 15. For transfer to the department of public health to



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 be used as state matching funds for the health information
2 technology system developed by the department of public health:
3 \$ ~~181,993~~
4 363,987

5 16. To supplement the appropriation for medical assistance:
6 \$ 1,956,245

7 Notwithstanding section 8.39, subsection 1, without the
8 prior written consent and approval of the governor and the
9 director of the department of management, the director of human
10 services may transfer funds among the appropriations made in
11 this section as necessary to carry out the purposes of the
12 account for health care transformation. The department shall
13 report any transfers made pursuant to this section to the
14 legislative services agency.

15 Sec. 35. 2011 Iowa Acts, chapter 129, section 151, is
16 amended to read as follows:

17 SEC. 151. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
18 HUMAN SERVICES. Notwithstanding any provision to the contrary
19 and subject to the availability of funds, there is appropriated
20 from the quality assurance trust fund created in section
21 249L.4 to the department of human services for the fiscal year
22 beginning July 1, 2012, and ending June 30, 2013, the following
23 amounts, or so much thereof as is necessary for the purposes
24 designated:

25 To supplement the appropriation made in this Act from the
26 general fund of the state to the department of human services
27 for medical assistance:
28 \$ ~~29,000,000~~
29 26,500,000

30 Sec. 36. 2011 Iowa Acts, chapter 129, section 152, is
31 amended to read as follows:

32 SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
33 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
34 the contrary and subject to the availability of funds, there is
35 appropriated from the hospital health care access trust fund



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 created in section 249M.4 to the department of human services
2 for the fiscal year beginning July 1, 2012, and ending June
3 30, 2013, the following amounts, or so much thereof as is
4 necessary, for the purposes designated:

5 1. To supplement the appropriation made in this Act from the
6 general fund of the state to the department of human services
7 for medical assistance:

8 \$ ~~39,223,800~~
9 33,898,400

10 2. For deposit in the nonparticipating provider
11 reimbursement fund created in section 249J.24A to be used for
12 the purposes of the fund:

13 \$ ~~776,200~~
14 801,600

15 Sec. 37. REPEAL. 2011 Iowa Acts, chapter 129, sections 149
16 and 150, are repealed.

17 DIVISION VI

18 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
19 CONTINGENCY FUND

20 Sec. 38. CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD
21 ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE OF FUNDS
22 — FY 2012-2013. Of the moneys received from the federal
23 government through the child enrollment contingency fund
24 established pursuant to section 103 of the federal Children's
25 Health Insurance Program Reauthorization Act of 2009, Pub. L.
26 No. 111-3, there is appropriated to the department of human
27 services for the fiscal year beginning July 1, 2012, and ending
28 June 30, 2013, the following amount to be used in addition to
29 any other amounts appropriated for the same purposes for the
30 fiscal year as follows:

31 For technical assistance for mental health redesign efforts:
32 \$ 500,000

33 DIVISION VII

34 MENTAL HEALTH AND DISABILITY SERVICES REDESIGN

35 Sec. 39. MENTAL HEALTH AND DISABILITY SERVICES REDESIGN.

LSB 5118HV (3) 84

-59-

pf/jp

59/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 There is appropriated from the general fund of the state to
2 the department of human services for the fiscal year beginning
3 July 1, 2012, and ending June 30, 2013, the following amount,
4 or so much thereof as is necessary, to be used for the purposes
5 designated:

6 To be used as provided in additional enactments by the
7 Eighty-fourth General Assembly, 2012 Session, for redesign of
8 county-based adult mental health and disability services:
9 \$ 30,000,000

10 DIVISION VIII

11 PRIOR APPROPRIATIONS AND RELATED CHANGES

12 Sec. 40. 2011 Iowa Acts, chapter 129, section 3, subsection
13 2, is amended by adding the following new paragraph:

14 NEW PARAGRAPH. e. The funds appropriated in this subsection
15 to the Iowa veterans home that remain available for expenditure
16 for the succeeding fiscal year pursuant to section 35D.18,
17 subsection 5, shall be distributed to be used in the succeeding
18 fiscal year in accordance with this lettered paragraph. The
19 first \$500,000 shall remain available to be used for the
20 purposes of the Iowa veterans home. On or before October 15,
21 2012, the department of management shall transfer the remaining
22 balance to the appropriation for the fiscal year from the
23 general fund of the state to the department of human services
24 for medical assistance.

25 Sec. 41. EFFECTIVE UPON ENACTMENT. This division of this
26 Act, being deemed of immediate importance, takes effect upon
27 enactment.

28 DIVISION IX

29 MISCELLANEOUS

30 Sec. 42. Section 97B.39, Code 2011, is amended to read as
31 follows:

32 **97B.39 Rights not transferable or subject to legal process**
33 **— exceptions.**

34 The right of any person to any future payment under this
35 chapter is not transferable or assignable, at law or in

LSB 5118HV (3) 84

-60-

pf/jp

60/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 equity, and the moneys paid or payable or rights existing
2 under this chapter are not subject to execution, levy,
3 attachment, garnishment, or other legal process, or to the
4 operation of any bankruptcy or insolvency law except for the
5 purposes of enforcing child, spousal, or medical support
6 obligations or marital property orders, or for recovery of
7 medical assistance payments pursuant to section 249A.5. For
8 the purposes of enforcing child, spousal, or medical support
9 obligations, the garnishment or attachment of or the execution
10 against compensation due a person under this chapter shall
11 not exceed the amount specified in 15 U.S.C. § 1673(b).
12 The system shall comply with the provisions of a marital
13 property order requiring the selection of a particular benefit
14 option, designated beneficiary, or contingent annuitant if
15 the selection is otherwise authorized by this chapter and
16 the member has not received payment of the member's first
17 retirement allowance. However, a marital property order shall
18 not require the payment of benefits to an alternative payee
19 prior to the member's retirement, prior to the date the member
20 elects to receive a lump sum distribution of accumulated
21 contributions pursuant to section 97B.53, or in an amount that
22 exceeds the benefits the member would otherwise be eligible to
23 receive pursuant to this chapter.

24 Sec. 43. CIVIL MONETARY PENALTIES — DIRECT CARE WORKERS
25 TASK FORCE. Of the funds received by the department of human
26 services through federal civil monetary penalties from nursing
27 facilities, during the fiscal year beginning July 1, 2012, and
28 ending June 30, 2013, \$149,000 shall be used for continued
29 implementation of the recommendations of the direct care worker
30 task force established pursuant to 2005 Iowa Acts, chapter 88,
31 based upon the report submitted to the governor and the general
32 assembly in December 2006.

33 EXPLANATION

34 This bill relates to appropriations for health and human
35 services for fiscal year 2012-2013 to the department of

LSB 5118HV (3) 84

-61-

pf/jp

61/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 veterans affairs, the Iowa veterans home, the department on
2 aging, the department of public health, Iowa finance authority,
3 state board of regents, department of inspections and appeals,
4 and the department of human services. The appropriations were
5 previously enacted in 2011 Iowa Acts, chapter 129 (H.F. 649).
6 The bill is organized into divisions.

7 DEPARTMENT ON AGING. This division amends appropriations
8 made from the general fund of the state for the department on
9 aging.

10 DEPARTMENT OF PUBLIC HEALTH. This division amends
11 appropriations made from the general fund of the state for the
12 department of public health.

13 DEPARTMENT OF VETERANS AFFAIRS. This division amends
14 appropriations made from the general fund of the state for the
15 department of veterans affairs.

16 DEPARTMENT OF HUMAN SERVICES. This division amends
17 appropriations made from the general fund of the state and the
18 federal temporary assistance for needy families block grant to
19 the department of human services (DHS). The allocation for the
20 family development and self-sufficiency grant program is made
21 directly to the department of human rights.

22 Appropriations are made from the health care trust fund for
23 the medical assistance (Medicaid) program in addition to the
24 general fund appropriations made for this purpose.

25 The reimbursement section addresses reimbursement for
26 providers reimbursed by the department of human services.

27 PHARMACEUTICAL SETTLEMENT ACCOUNT, IOWACARE ACCOUNT,
28 NONPARTICIPATING PROVIDER REIMBURSEMENT FUND, HEALTH CARE
29 TRANSFORMATION ACCOUNT, MEDICAID FRAUD FUND, QUALITY ASSURANCE
30 TRUST FUND, AND HOSPITAL HEALTH CARE ACCESS TRUST FUND. This
31 division amends appropriations made for fiscal year 2012-2013.

32 The appropriation from the pharmaceutical settlement account
33 to the department of human services supplements the Medicaid
34 program medical contracts appropriation.

35 The appropriations from the IowaCare account are made to

LSB 5118HV (3) 84

-62-

pf/jp

62/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 the state board of regents for distribution to the university
2 of Iowa hospitals and clinics and to the department of human
3 services for distribution to a publicly owned acute care
4 teaching hospital in a county with a population over 350,000
5 related to the IowaCare program and indigent care.

6 The appropriation from the nonparticipating provider
7 reimbursement fund is made to the department of human services
8 to reimburse nonparticipating providers under the IowaCare
9 program.

10 The appropriations to the department of human services from
11 the account for health care transformation are directed to
12 various health care reform initiatives.

13 The appropriations from the Medicaid fraud fund made to the
14 department of inspections and appeals for costs relating to
15 assisted living programs and adult day care services and to the
16 department of human services for the Medicaid program in 2011
17 Iowa Acts, chapter 129, sections 149 and 150, are repealed.

18 The appropriations made to supplement the Medicaid program
19 are from the following funds and account: quality assurance
20 trust fund and hospital health care access trust fund.

21 The division provides that if the total amounts appropriated
22 from all sources for the medical assistance program for fiscal
23 year 2012-2013 exceed the amount needed, the excess remains
24 available to be used for the program in the succeeding fiscal
25 year.

26 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
27 CONTINGENCY FUND. This division appropriates funds from
28 moneys received from the federal government through the child
29 enrollment contingency fund to the department of human services
30 to be used for technical assistance for mental health redesign
31 efforts.

32 MENTAL HEALTH AND DISABILITY SERVICES REDESIGN. This
33 division makes an appropriation from the general fund of the
34 state to the department of human services for FY 2012-2013
35 to be used as provided in additional enactments made by the

LSB 5118HV (3) 84

-63-

pf/jp

63/64



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. 2435

1 general assembly for redesign of county-based adult mental
2 health and disability services.

3 PRIOR APPROPRIATIONS AND RELATED CHANGES. This division
4 amends previously enacted appropriations related-provisions.
5 This division takes effect upon enactment.

6 MISCELLANEOUS. This division amends Code section 97B.39,
7 relating to Iowa public employees' retirement system (IPERS)
8 payments, to include recovery of Medicaid program payments
9 related to estate recovery in the list of exceptions that
10 allows IPERS payments to be subject to execution, levy,
11 attachment, garnishment, or other legal process, or to the
12 operation of bankruptcy or insolvency law.

13 The division also provides that a portion of the funds
14 received by the department of human services through federal
15 civil monetary penalties from nursing facilities is to be used
16 for continued implementation of the direct care worker task
17 force.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

House Joint Resolution 2010 - Introduced

HOUSE JOINT RESOLUTION 2010
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HJR 2006)

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing amendments to the Constitution of
2 the State of Iowa relating to state budgeting by creating a
3 state general fund expenditure limitation, providing for a
4 taxpayers relief fund, requiring authorization for certain
5 bonds, and restricting certain state revenue changes.
6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5334HV (2) 84
jp/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.J.R. 2010

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 The Constitution of the State of Iowa is amended by adding
4 the following new section to new Article XIII:

5 ARTICLE XIII.

6 EXPENDITURE LIMITATION.

7 **General fund expenditure limitation. SECTION 1.**

8 1. For the purposes of this section:

9 *a. "Adjusted revenue estimate"* means the most recent revenue
10 estimate determined before January 1, or a later and lesser
11 revenue estimate determined before adjournment of the regular
12 session of the general assembly, for the general fund for the
13 following fiscal year as determined by a revenue estimating
14 conference which shall be established by the general assembly
15 by law, adjusted by subtracting estimated refunds payable from
16 that estimated revenue. However, if the general assembly holds
17 an extraordinary session prior to the commencement of the
18 fiscal year to which the revenue estimate applies and before
19 or during the extraordinary session the revenue estimating
20 conference determines a lesser revenue estimate, the lesser
21 estimate shall be used for the adjusted revenue estimate.

22 *b. "General fund"* means the principal operating fund of the
23 state which shall be established by the general assembly by
24 law.

25 *c. "New revenue"* means moneys which are received by the
26 general fund due to increased tax rates or fees or newly
27 created taxes or fees over and above those moneys which are
28 received due to state taxes or fees which are in effect as
29 of January 1 following the most recent meeting of the state
30 revenue estimating conference. *"New revenue"* also includes
31 moneys received by the general fund due to new transfers over
32 and above those moneys received by the general fund due to
33 transfers which are in effect as of January 1 following the
34 most recent meeting of the state revenue estimating conference.
35 Except for transfers provided for by law, the state revenue

LSB 5334HV (2) 84

-1-

jp/sc

1/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.J.R. 2010

1 estimating conference shall determine the eligibility of
2 transfers to the general fund which are to be considered as
3 new revenue in determining the state general fund expenditure
4 limitation.

5 *d. "Surplus"* means the cumulative excess of revenue and
6 other financing sources over expenditures and other financing
7 uses for the general fund at the end of a fiscal year.

8 2. A state general fund expenditure limitation is created
9 and calculated in subsection 3, for each fiscal year beginning
10 on or after July 1 following the effective date of this
11 section.

12 3. Except as otherwise provided in this section, the state
13 general fund expenditure limitation for a fiscal year shall be
14 ninety-nine percent of the adjusted revenue estimate.

15 4. The state general fund expenditure limitation shall be
16 used by the governor in the preparation and approval of the
17 budget and by the general assembly in the budget process.

18 5. If a new revenue source is proposed, the budget revenue
19 projection used for that new revenue source for the period
20 beginning on the effective date of the new revenue source and
21 ending in the fiscal year in which the source is included in
22 the adjusted revenue estimate shall be ninety-five percent
23 of the amount remaining after subtracting estimated refunds
24 payable from the projected revenue from that source. If a new
25 revenue source is established and implemented, the original
26 state general fund expenditure limitation amount provided for
27 in subsection 3 shall be readjusted to include ninety-five
28 percent of the estimated revenue from that source.

29 6. *a.* If there is a surplus existing at the end of a fiscal
30 year which exceeds ten percent of the adjusted revenue estimate
31 of that fiscal year and the actual net revenue for the general
32 fund exceeds the adjusted revenue estimate for that fiscal
33 year, the surplus shall be transferred to a taxpayers trust
34 fund. Except for temporary cash flow purposes, moneys in the
35 taxpayers trust fund shall only be used in accordance with

LSB 5334HV (2) 84

-2-

jp/sc

2/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.J.R. 2010

1 appropriations made for purposes of providing tax relief.

2 **b.** Any surplus equal to ten percent or less of the adjusted
3 revenue estimate of the following fiscal year may be included
4 in the adjusted revenue estimate for the following fiscal year
5 if approved in a bill receiving the affirmative votes of at
6 least three-fifths of the members elected to each house of the
7 general assembly.

8 7. If a bill or joint resolution provides for new revenue or
9 appropriations bonding authority, or an expansion of existing
10 revenue or appropriations bonding authority, which bonds are
11 funded in whole or in part from revenue from the general
12 fund or from another portion of the state treasury, the bill
13 or joint resolution shall not become law unless approved by
14 the affirmative votes of at least two-thirds of the members
15 elected to each house of the general assembly. In addition,
16 the state general fund expenditure limitation for the initial
17 or subsequent fiscal year to which the bill or joint resolution
18 applies shall include any appropriations of such revenue for
19 the fiscal year.

20 8. The scope of the state general fund expenditure
21 limitation under subsection 3 shall not include federal funds,
22 donations, constitutionally dedicated moneys, and moneys
23 expended from a state retirement system.

24 9. The governor shall submit and the general assembly shall
25 pass a budget which does not exceed the state general fund
26 expenditure limitation. The governor shall not approve or
27 disapprove appropriation bills or items of appropriation bills
28 passed by the general assembly in a manner that would cause
29 the final budget approved by the governor to exceed the state
30 general fund expenditure limitation.

31 10. The governor shall not submit and the general assembly
32 shall not pass a budget which in order to balance assumes
33 reversion of any part of the total of the appropriations
34 included in the budget.

35 11. The state shall use consistent standards, in accordance

LSB 5334HV (2) 84

-3-

jp/sc

3/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.J.R. 2010

1 with generally accepted accounting principles, for all state
2 budgeting and accounting purposes.

3 12. The general assembly shall enact laws to implement this
4 section.

5 Sec. 2. The following amendment to the Constitution of the
6 State of Iowa is proposed:

7 The Constitution of the State of Iowa is amended by adding
8 the following new sections to new Article XIII:

9 ARTICLE XIII.

10 THREE-FIFTHS MAJORITY FOR TAX LAW CHANGES.

11 **Three-fifths majority to increase taxes. SECTION 1.** A
12 bill containing provisions enacting, amending, or repealing
13 the state income tax or enacting, amending, or repealing the
14 state sales and use taxes, in which the aggregate fiscal
15 impact of those provisions relating to those taxes results
16 in a net increase in state tax revenue, as determined by the
17 general assembly, shall require the affirmative votes of at
18 least three-fifths of the members elected to each house of the
19 general assembly for passage. This section does not apply to
20 income tax or sales and use taxes imposed at the option of a
21 local government.

22 **Three-fifths majority to enact new state tax. SEC. 2.** A bill
23 that establishes a new state tax to be imposed by the state
24 shall require the affirmative votes of at least three-fifths
25 of the members elected to each house of the general assembly
26 for passage.

27 **Enforcement of three-fifths majority requirement. SEC. 3.** A
28 lawsuit challenging the proper enactment of a bill pursuant to
29 section 1 or 2 shall be filed no later than one year following
30 the enactment. Failure to file such a lawsuit within the
31 one-year time limit shall negate the three-fifths majority
32 requirement as it applies to the bill.

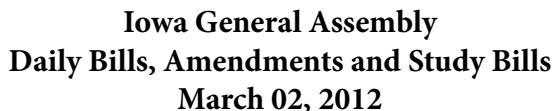
33 Each bill to which section 1 or 2 applies shall include a
34 separate provision describing the requirements for enactment
35 prescribed by section 1 or 2.

LSB 5334HV (2) 84

-4-

jp/sc

4/7



1 **Implementation.** SEC. 4. The general assembly shall enact
2 laws to implement sections 1 through 3.

3 Sec. 3. The foregoing proposed amendments to the
4 Constitution of the State of Iowa are referred to the general
5 assembly to be chosen at the next general election for members
6 of the general assembly, and the Secretary of State is directed
7 to cause them to be published for three consecutive months
8 previous to the date of that election as provided by law.

10 This resolution proposes two amendments within a new Article
11 XIII to the Constitution of the State of Iowa which relates to
12 state budgets and state revenue.

13 The first amendment creates a state general fund expenditure
14 limitation. The amount of the limitation is 99 percent of the
15 adjusted revenue estimate. The amendment defines adjusted
16 revenue estimate and requires that that estimate be determined
17 by a revenue estimating conference which is to be created by
18 the general assembly by law. The amendment requires that the
19 expenditure limitation be used by the governor in preparation
20 of the governor's budget and by the general assembly in the
21 budget process. The governor is prohibited from approving or
22 disapproving of appropriations in a manner that would cause the
23 final budget approved by the governor to exceed the expenditure
24 limitation.

25 The first amendment also provides that if a new revenue
26 source is established and implemented, 95 percent of the
27 estimate of that new revenue shall be included in the
28 expenditure limitation.

29 The first amendment provides that if there is a surplus
30 existing at the end of a fiscal year which exceeds 10 percent
31 of the adjusted revenue for the fiscal year and the actual net
32 revenue for the general fund for the fiscal year exceeds the
33 adjusted revenue estimate for the fiscal year, the surplus is
34 required to be transferred to a taxpayers trust fund. Any
35 surplus which is equal to 10 percent or less of the amount of

5/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.J.R. 2010

1 the adjusted revenue estimate of the following fiscal year may
2 be included in the following year's adjusted revenue estimate
3 if inclusion is approved in a bill by at least three-fifths of
4 the members elected to each house of the general assembly.

5 The first amendment requires that enactment of a bill or
6 joint resolution providing for new or expanded authority to
7 issue revenue or appropriations bonds funded in whole or in
8 part from revenue from the general fund or from another portion
9 of the state treasury requires a vote of at least two-thirds of
10 the members elected to each house of the general assembly. In
11 addition, the appropriations of such revenue are required to
12 be included in the state general fund expenditure limitation
13 for each applicable fiscal year.

14 The first amendment also requires the state to use generally
15 accepted accounting principles for state budgeting and
16 accounting purposes. The amendment provides that the general
17 assembly shall enact laws to implement the amendment.

18 The second amendment contained in the resolution requires
19 a three-fifths majority vote of the members elected to each
20 house of the general assembly for certain tax law changes.
21 The amendment provides that any bill that enacts, amends,
22 or repeals the state income tax or the state sales and use
23 tax, and which causes, in the aggregate, an increase in state
24 tax revenues, as determined by the general assembly, must be
25 adopted by at least three-fifths of the members elected to each
26 house of the general assembly. The amendment also requires
27 a three-fifths majority vote of the members elected to each
28 house of the general assembly in order to enact a new state tax
29 to be imposed by the state. A lawsuit challenging enactment
30 of a bill subject to either three-fifths majority passage
31 requirement must be filed no later than one year from the date
32 of enactment of the bill. Finally, the amendment provides
33 that the general assembly shall enact laws to implement the
34 amendment.

35 The resolution, if adopted, will be referred to the next

LSB 5334HV (2) 84

-6-

jp/sc

6/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.J.R. 2010

1 general assembly. If the next general assembly adopts this
2 resolution, the amendments will be submitted to the voters for
3 their decision on ratification.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

House Resolution 122 - Introduced

HOUSE RESOLUTION NO. 122

BY ALONS, MUHLBAUER, WENTHE, H. MILLER, WOLFE, THEDE,
KEARNS, THOMAS, GASKILL, HANSON, ABDUL-SAMAD,
MASCHER, M. SMITH, ISENHART, BERRY, WILLEMS,
T. OLSON, KELLEY, WITTNEBEN, GAINES, SHAW, MASSIE,
WORTHAN, IVERSON, J. SMITH, HEIN, DE BOEF, LOFGREN,
CHAMBERS, HUSEMAN, WATTS, BAUDLER, RAYHONS,
FORRISTALL, GARRETT, BRANDENBURG, DRAKE, SANDS,
SODERBERG, GRASSLEY, KLEIN, S. OLSON, PAUSTIAN,
MOORE, SWEENEY, DOLECHECK, SCHULTE, HORBACH,
HANUSA, RASMUSSEN, VAN ENGELENHOVEN, JORGENSEN,
HAGENOW, ROGERS, FRY, KAUFMANN, DEYOE, KOESTER,
VANDER LINDEN, HAGER, BALTIMORE, and BYRNES

1 A Resolution recognizing the year 2012 as the Year of
2 the Farmer Cooperative.

3 WHEREAS, over 3,000 farmer cooperatives are
4 currently serving America, from corner groceries, to
5 superstores, to school lunch programs; and

6 WHEREAS, farmer co-ops give the country a safe,
7 affordable, and abundant food supply; and

8 WHEREAS, co-ops also help their producer-owners
9 compete in a global marketplace, engage in value-added
10 processing, and supply just about any input, from feed,
11 seed, and fertilizer to fuel, tires, and tools needed
12 to run a successful farm or ranch; and

13 WHEREAS, the cooperatively owned Farm Credit System
14 makes sure that farmers, ranchers, and their co-ops
15 have a dependable and competitive way to finance their
16 operations — in both good times and bad; and

17 WHEREAS, across America farmer co-ops are the



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.R. 122

1 economic lifeblood of many rural communities, providing
2 jobs to over a quarter of a million Americans, with
3 payrolls in excess of \$8 billion a year; and

4 WHEREAS, all across rural America farmer co-ops are
5 an important part of the social fabric, doing things as
6 simple as sponsoring the local little league team to
7 things as difficult as helping their neighbors recover
8 from natural disasters; and

9 WHEREAS, in July 2011, the United States Senate
10 passed a resolution declaring 2012 to be the Year of
11 Cooperatives to recognize and celebrate the benefits
12 cooperatives of all types deliver to the communities
13 they serve; NOW THEREFORE,

14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
15 That the House of Representatives recognizes the year
16 2012 as the Year of the Farmer Cooperative and urges
17 all Iowans to recognize and support the vital role
18 of co-ops in the economic and social well-being of
19 communities across Iowa and America.

LSB 6086HH (11) 84

-2- jr/rj

2/2



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012**

House Resolution 123 - Introduced

HOUSE RESOLUTION NO. 123

BY DE BOEF, ALONS, HAGER, LUKAN, LOFGREN, SANDS,
HUSEMAN, PETTENGILL, TJEPKES, WATTS, BAUDLER,
RAYHONS, L. MILLER, DRAKE, SODERBERG, KLEIN,
IVERSON, RASMUSSEN, VAN ENGELENHOVEN, HORBACH,
ARNOLD, SHAW, and SCHULTZ

1 A Resolution supporting a free, independent, and secure
2 Israel.

3 WHEREAS, Israel has been granted her lands under
4 and through the oldest recorded deed as reported in
5 the Old Testament, a tome of scripture held sacred and
6 revered by Jew and Christian, alike, as the acts and
7 words of God; and

8 WHEREAS, as the Grantor of said lands, God stated
9 to the Jewish people in the Old Testament in Leviticus
10 20:24: "Ye shall inherit their land, and I will give
11 it unto you to possess it, a land that floweth with
12 milk and honey"; and

13 WHEREAS, God has never rescinded his grant of said
14 lands; and

15 WHEREAS, along with the grant of said lands to
16 the Jewish people, God provided for the non-Jewish
17 residents of the land in commanding that governance
18 must be in one law for all without drawing distinction
19 between Jewish and non-Jewish citizens, as contained in
20 Leviticus 24:22; and

21 WHEREAS, the Nation of Israel declared its
22 independent control and governance of said lands
23 on May 14, 1948, with the goal of reestablishing
24 their God-given lands as a homeland for the Jewish

LSB 5800YH (6) 84

-1- jr/rj

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.R. 123

1 people; and

2 WHEREAS, the United States of America, having been
3 the first country to recognize Israel as an independent
4 nation and as Israel's principal Mideast ally, has
5 enjoyed a close and mutually beneficial relationship
6 with Israel and her people; and

7 WHEREAS, indeed, Israel is the United States of
8 America's closest friend in the Mideast; and

9 WHEREAS, the roots of Israel and the roots of the
10 United States of America are so intertwined that it is
11 difficult to separate one from the other under the word
12 and protection of almighty God; and

13 WHEREAS, there are those in the Middle East who
14 have sought to destroy Israel from its inception as a
15 nation; and

16 WHEREAS, those same enemies of Israel also seek to
17 destroy the United States of America; and

18 WHEREAS, the United States of America and the nation
19 of Israel have enjoyed cordial and mutually beneficial
20 relations since 1948, a friendship that should continue
21 to strengthen with each passing year; NOW THEREFORE,

22 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
23 the House of Representatives recognizes the sovereign
24 nation of Israel as a friend and ally of the United
25 States of America and the people of Iowa; and

26 BE IT FURTHER RESOLVED, That on behalf of the people
27 of Iowa, the House of Representatives recognizes the
28 right of the nation of Israel to exist, defend itself,
29 and secure its borders.

LSB 5800YH (6) 84

-2-

jr/rj

2/2



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012**

House Resolution 124 - Introduced

HOUSE RESOLUTION NO. 124

BY ALONS, HAGER, MASSIE, WATTS, SCHULTZ, PEARSON,
BRANDENBURG, SHAW, and DE BOEF

1 A Resolution opposing the United Nations Agenda 21
2 and the nongovernmental organization International
3 Council of Local Environmental Initiatives.

4 WHEREAS, the United Nations Agenda 21 is a
5 comprehensive plan of extreme environmentalism,
6 social engineering, and global political control that
7 was initiated at the United Nations Conference on
8 Environment and Development (UNCED) held in Rio de
9 Janeiro, Brazil, in 1992; and

10 WHEREAS, neither the United States government nor
11 any state or local government is legally bound by the
12 United Nations Agenda 21 treaty in that it has never
13 been ratified by the United States Senate; and

14 WHEREAS, the United Nations Agenda 21 is being
15 covertly spread into local communities throughout
16 the United States through the International Council
17 of Local Environmental Initiatives (ICLEI), now
18 calling itself Local Governments for Sustainability,
19 through the promotion of local sustainable development
20 policies, such as Smart Growth, Wildlands Project,
21 Resilient Cities, Regional Visioning Projects, and
22 other "Green" or "Alternative" projects; and

23 WHEREAS, this plan of radical, so-called sustainable
24 development views the American way of life of private
25 property ownership, single-family homes, private car
26 ownership and individual travel choices, and privately
27 owned farms as destructive to the environment; and

LSB 6084HH (3) 84

-1- jr/rj

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.R. 124

28 WHEREAS, according to the United Nations Agenda 21
1 policy, social justice is described as the right and
2 opportunity of all people to benefit equally from the
3 resources afforded by society and the environment which
4 would be accomplished by a socialist or communist-style
5 redistribution of wealth; and

6 WHEREAS, according to the United Nations Agenda
7 21 policy, national sovereignty is deemed a social
8 injustice; NOW THEREFORE,

9 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
10 That the House of Representatives opposes all state or
11 local efforts implementing programs of, expending any
12 sum of money for, being a member of, receiving funding
13 from, contracting services from, or giving financial
14 or other forms of aid to ICLEI – Local Governments for
15 Sustainability, or any other organization promoting
16 the implementation of the United Nations Agenda 21,
17 sustainable development, or smart growth; and

18 BE IT FURTHER RESOLVED, That the House of
19 Representatives recognizes the destructive and
20 insidious nature of the United Nations Agenda 21,
21 endorses rejection of its radical policies and of any
22 grant moneys attached to it, and recommends exposing to
23 the public and public policymakers across the country
24 the dangerous intent of the United Nations Agenda 21
25 plan.

LSB 6084HH (3) 84

-2-

jr/rj

2/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

House Study Bill 663 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
GOVERNMENT OVERSIGHT BILL
BY CHAIRPERSON HAGENOW)

A BILL FOR

1 An Act relating to the examinations of the finances of certain
2 cities.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5366YC (6) 84
aw/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. _____

1 Section 1. Section 11.6, subsection 1, paragraph a, Code
2 Supplement 2011, is amended to read as follows:
3 a. (1) Except for entities organized under chapter 28E
4 having gross receipts of one hundred thousand dollars or less
5 in a fiscal year, the financial condition and transactions of
6 all government subdivisions shall be audited ~~at least once each~~
7 year annually, except that cities having a population of ~~seven~~
8 ~~hundred or more but less than two thousand shall be examined at~~
9 ~~least once every four years~~ and budgeted gross expenditures of
10 one million dollars or more in a fiscal year shall be subject
11 to a required fiscal year examination for that fiscal year
12 according to procedures established by the office of auditor
13 of state, and cities having a population of less than ~~seven~~
14 ~~hundred~~ two thousand and budgeted gross expenditures of less
15 than one million dollars in a fiscal year shall be subject
16 to periodic examination by the auditor of state according to
17 procedures established by the auditor of state, and may be
18 examined as otherwise provided in this section. The audit of
19 school districts shall include an audit of all school funds
20 including categorical funding provided by the state, the
21 certified annual financial report, the certified enrollment as
22 provided in section 257.6, supplementary weighting as provided
23 in section 257.11, and the revenues and expenditures of any
24 nonprofit school organization established pursuant to section
25 279.62. Differences in certified enrollment shall be reported
26 to the department of management. The audit of school districts
27 shall include at a minimum a determination that the laws of
28 the state are being followed, that categorical funding is not
29 used to supplant other funding except as otherwise provided,
30 that supplementary weighting is pursuant to an eligible
31 sharing condition, and that postsecondary courses provided in
32 accordance with section 257.11 and chapter 261E supplement,
33 rather than supplant, school district courses. The audit of
34 a city that owns or operates a municipal utility providing
35 local exchange services pursuant to chapter 476 shall include

LSB 5366YC (6) 84

-1-

aw/sc

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. _____

1 performing tests of the city's compliance with section 388.10.
2 The audit of a city that owns or operates a municipal utility
3 providing telecommunications services pursuant to section
4 388.10 shall include performing tests of the city's compliance
5 with section 388.10.

6 (2) Subject to the exceptions and requirements of
7 subsections 2 and 3, and subsection 4, paragraph "a",
8 subparagraph (3), audits or required fiscal year examinations
9 shall be made as determined by the governmental subdivision
10 either by the auditor of state or by certified public
11 accountants, certified in the state of Iowa, and they shall
12 be paid from the proper public funds of the governmental
13 subdivision. However, a periodic examination of a city shall
14 be conducted by the auditor of state or by a certified public
15 accountant employed by the auditor of state pursuant to section
16 11.32, and shall be paid from examination fees collected
17 pursuant to subsection 10A.

18 Sec. 2. Section 11.6, Code Supplement 2011, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 10A. a. The auditor of state shall
21 adopt rules in accordance with chapter 17A to establish and
22 collect a periodic examination fee from cities that are not
23 required to have an audit or required fiscal year examination
24 conducted pursuant to subsection 1 during a fiscal year. Such
25 fees are due on March 31 each year. However, cities that
26 pay a filing fee for an audit or examination pursuant to
27 subsection 10 during the fiscal year are not required to pay
28 the examination fee. The funds collected shall be maintained
29 in a segregated account for use by the office of the auditor of
30 state in performing periodic examinations conducted pursuant
31 to subsection 1. Notwithstanding section 8.33, any fees
32 collected by the auditor of state for these purposes that
33 remain unexpended at the end of the fiscal year shall not
34 revert to the general fund of the state or any other fund but
35 shall remain available for use for the following fiscal year

LSB 5366YC (6) 84

aw/sc

2/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. _____

1 for the same purpose.

2 *b.* The auditor of state shall provide an annual report by
3 January 15 of each year to the general assembly's standing
4 committees on government oversight, advising the general
5 assembly on the status of the account created in this
6 subsection and on the status of the required fiscal year
7 examinations and periodic examinations of cities.

8 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection
9 3, shall not apply to this Act.

10 EXPLANATION

11 This bill relates to the examination of city finances
12 for cities with populations of less than 2,000. Current law
13 requires that cities with populations of 700 or more but less
14 than 2,000 be examined once every four years. Current law
15 states that cities for which an audit is not required may be
16 audited or examined as determined by the city or upon petition
17 of taxpayers.

18 The bill requires that cities with a population of less
19 than 2,000 and with budgeted gross expenditures of \$1 million
20 or more submit to a required fiscal year examination by the
21 auditor of state or a certified public accountant chosen by the
22 city for that budgeted fiscal year. The bill provides that
23 such examinations shall be conducted by procedures adopted by
24 the auditor of state and shall be paid from the proper funds of
25 the governmental subdivision.

26 The bill further requires that cities with a population of
27 less than 2,000 and with budgeted gross expenditures of less
28 than \$1 million submit to periodic examinations by the auditor
29 of state or a certified public accountant employed by the
30 auditor of state. The bill states that such examinations shall
31 be conducted according to procedures adopted by the auditor of
32 state. The bill retains the requirement that cities for which
33 an audit is not required shall be audited upon petition of its
34 taxpayers.

35 The bill requires that the auditor of state establish and

LSB 5366YC (6) 84

-3-

aw/sc

3/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 02, 2012

H.F. _____

1 collect a periodic examination fee that shall be paid by all
2 cities not subject to an annual audit or required fiscal year
3 examination, and provides that such fees shall be maintained in
4 a segregated account and are not subject to reversion to the
5 general fund of the state or any other fund. The bill requires
6 that the cost of conducting the periodic examinations under the
7 bill shall be paid by the auditor of state from this segregated
8 account.

9 The bill also requires that the auditor of state report by
10 January 15 of each year to the general assembly's standing
11 committees on government oversight on the status of the
12 segregated account created for the conduct of periodic
13 examinations and on the status of the required fiscal year
14 examinations and periodic examinations of cities.

15 The bill may include a state mandate as defined in Code
16 section 25B.3. The bill makes inapplicable Code section 25B.2,
17 subsection 3, which would relieve a political subdivision from
18 complying with a state mandate if funding for the cost of
19 the state mandate is not provided or specified. Therefore,
20 political subdivisions are required to comply with any state
21 mandate included in the bill.